



# the San Francisco POLICE MAN

OFFICIAL PUBLICATION OF THE SAN FRANCISCO POLICE OFFICERS ASSOCIATION

To Promote the Efficiency and Good Name of the San Francisco Police Department and its Members



Member of COPS - California Organization of Police & Sheriffs

VOLUME 15

SAN FRANCISCO, DEC. 1983/JAN. 1984

NUMBER 12

## SUPERVISOR JOHN MOLINARI-

### TWELVE YEARS OF SERVICE



John Molinari



Paul Chignell

by Paul Chignell  
Vice-President

Supervisor John L. Molinari has completed twelve years of service on the San Francisco Board of Supervisors and joins his colleague, Supervisor Quentin Kopp as the senior members of the San Francisco Board of Supervisors.

During the past several years Molinari has been one of the strongest supporters of the Police Officers' Association consistently advocating on our behalf both with Charter amendments, overtime funding, FTO overtime and other ordinances that affect the Police Department.

The relationship between Molinari and the POA was strained after the 1975 strike and continued that way until 1978 when the Supervisor and the POA leadership started a dialogue on mutual issues. Since that time the Supervisor has been responsive to our labor and law enforcement concerns and has made a genuine effort to reach out the rank & file for input on the above issues.

November 1984 will bring an election at the Board of Supervisors with the highest vote getter being President of the Board. It appears from this vantage point that Molinari and Kopp will be fighting for the top spot on that ticket.

The San Francisco Police Officers' Association has to be involved in the 1984 elections for the Board of Supervisors. The politicians who are elected will have a major influence over police department programs and benefits.

## YOUR RETIREMENT SYSTEM

by Mike Hebel, Welfare Officer

The City and County of San Francisco Employees' Retirement System has timely released its 1982-83 Annual Fiscal Report. Contained in that report is the following information which I felt would be of particular interest to members of the POA.

### \$1.5 BILLION

The book value of the assets contained in the Retirement System's portfolio has grown to \$1,569,631,040 as of June 30, 1983. The portfolio grew by more than \$200 million in fiscal year 1982-83. The portfolio investments are diversified: 7.4% in money market securities; 63.5% in corporate and government bonds; 4.5% in real estate; and 24.6% in stocks. The portfolio is heavily invested in bonds reflecting a prudent and conservative investment philosophy.

The System, by way of interest and dividends, received \$126,083,250 in income from its portfolio, representing an 8.30% yield.

From 1982-83 the System had a total income of \$328,079,305 which included a City contribution of

## YOUR POLICE OFFICER DEDUCTIONS

By Mike Hebel  
Welfare Officer  
Attorney At Law

The Internal Revenue Code provides that all income must be reported to the Internal Revenue Service. It does not compel or command taxpayers to report all their deductions in ascertaining the tax that is due to the United States Government. Police officers, due to the nature of their work, are entitled to particular deductions which are incurred necessarily in the course of their employment. Additionally, police officers who are members of this Association are entitled to other deductions which they should not overlook.

### UNION DUES

Section 62 of the Internal Revenue Code provides that an employee may deduct from adjusted gross income when determining taxable income, labor union dues and initiation fees and out of work benefit assessments. Labor union assessments for sickness, accidents and death benefits are not deductible as business expenses. Last year (1983) all members of this Association paid \$281.28. These are properly deductible on Schedule A under miscellaneous deductions.

### CHARITABLE CONTRIBUTIONS

Section 170(c) of the Internal Revenue Code provides that contributions made to a foundation, fund, committee, trust or corporation which is organized and operated exclusively for religious, charitable, scientific, literary, or educational purposes are properly deductible from gross income. In 1983 members of the Association who contributed to the Community Services Committee of the Association paid an annual fee of \$12.00. This is properly deductible since the Committee is organized and operated exclusively for charitable purposes.

### MISCELLANEOUS DEDUCTIONS

Section 62 of the Internal Revenue Code and Regulations 1.162-1 provide that an employee, in the case of a

police officer, may deduct certain expenditures if they are ordinary and necessary expenses paid or incurred during the taxable year in carrying on a trade, business, or profession. To be deductible, the police officer's expenses must be ordinary and necessary in carrying on his employment in law enforcement. The determination of what is ordinary and what is necessary is based on a factual examination of the particular expense. Expenses are ordinary if it can be expected to arise with some degree of consistency in the particular business or profession; an expenditure is necessary if it is appropriate and helpful to the development or conduct of a trade, business, or profession.

Certain expenditures by police officers would qualify for deductions in that:

- (1) They are incurred in the law enforcement profession of the officer;
- (2) The expenditure is not for long term items; and
- (3) The expense is ordinary and necessary to the law enforcement business.

The following types of expenditures would be considered as ordinary and necessary for the law enforcement profession. If they were made by a police officer in 1983 they are lawfully deductible as miscellaneous deductions on Schedule A. The sample expenditures would include: baton, briefcase, bulletproof vest, clipboard, flashlight and batteries, gloves, gun reloaders, ammunition, handcuffs, helmet, holsters, handcuff case, baton ring, ammo pouch, ear protectors, maps, ties, notebooks, penal codes, police codes, pencils, pens, safety glasses, tape recorders, uniforms, thermal underwear, laundering fees, whistles, and any necessary repairs or alterations to the above mentioned items.

### PROMOTIONAL EXAM DEDUCTIONS

It should also be noted that ordinary and necessary expenses made in preparation for promotional examinations are also deductible under section 62 of the Internal Revenue Code; these would include textbooks, study guides, courses, notebooks, and other related items.

If you have made such an expenditure in 1983, you should properly deduct it since it is lawful. If, per chance, you should fail to make such deductions and the expenditures more than minimal, you should consider filing an amended form 1040X in order to properly include this in your 1983 return. However, proper planning should result in your including all these items in your 1983 return. It is important that you retain

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### DEFERRED COMPENSATION PLAN

The City's Deferred Compensation Plan for its employees is monitored by the Retirement System's staff. This Plan, inaugurated in 1979, permits City employees to voluntarily defer a portion of their regular compensation until they reach the age of retirement. The wages so deferred are invested on behalf of each employee by the Hartford Life Insurance Company in one or more of the investment program selected by the participant. Neither the deferred wages nor the earnings thereon are subject to federal income taxes until distributed to the employee on retirement when, presumably, the employee falls into a lower tax bracket.

In June 1983 there were 2,364 City employees participating in this Plan. They had invested \$23,363,449

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## POLICE POST #456 NEWS

At this time of the year we wipe the slate clean and prepare for the New Year. We will combine our Thanksgiving message with our Xmas and New Year's message. Thanks to the Police Officer's Association for all their kindness and for letting us use space in the *Policeman* to get our messages out. Thanks to the entire Police Officer's Association slate of officers and a special thanks to the three lovely dolls in the office who are always so helpful to us throughout the year. It reminds me of a saying that I once read which is very apropos. "I shall pass through this world but once. If therefore, there be any kindness I can show, or any good thing I can do, let me do it now! Let me not defer it or neglect it, for I shall not pass this way again." How true. We have a lot to be thankful for although we might not think so at times. Those who are doubtful should look at other countries and the freedom they yearn for.

S.F. Police Post #456 and every other veteran's organization shall support the effort to defeat the latest move to erode the respect we pay to our departed. There is a proposal to discontinue placing the small gravesite flags on Memorial Day of 1984 at Golden Gate National Cemetery. As one of the many who walked those graves for many years I agree that is a blatant disservice to our departed. I don't know what logic is behind this move but I hope it is defeated.

S.F. Police Post #456 wishes a very Merry Christmas and a Happy New Year to one and all. Please remember that it is your paid up dues which help us to help others.

Till next issue, keep smiling, and may God hold you close in the palm of his hand.

Your Scribe  
John A. Russell

### January

"Never pay a compliment as though you expected a receipt". That's a very good idea. A compliment costs nothing to the giver and means so much to the receiver. The first line is a quote from something that I read recently. Compliments are due to John Payne, Stan Scheld and Walter Watson who were named to Department Commissions. Now, if you think that something like this is given by the Department of California for doing nothing, you've got another think coming. It entails a lot of hard work and time. These men have dedicated countless hours for many years and it is indeed gratifying to Police Post #456 that their efforts are rewarded. John Payne is on the Oratorical Commission, Stan Scheld is on the Boy's State Commission and Walt Watson is on the Law and Order Commission. Police Post #456 is indeed proud and honored to have such hard workers recognized.

I recently spoke with a former Commander of Police Post who was also a 7th District Commander, the other day. He's home recuperating from hip surgery. There's a guy who earned his Purple Heart the hard way but you'd never hear it from his mouth. One more of the peerless workers of Police Post #456 by the name of Frank Otterstedt. Glad to hear that he is doing well and will soon be up and around the golf course hitting the ball again.

For those of you who make New Year's resolutions and included paying your dues as part of your resolutions please get them in so that we can continue to do our share in the good works of the American Legion and all of its worthwhile causes. Quite a few have already paid for which we express our gratitude.

Till next issue, keep smiling, and may God hold you close in the palm of His hand. May the year 1984 treat you well and may all of your wishes for the New Year come true.

Your Scribe,  
John A. Russell

## JOHN ELLIS BENEFIT UPDATE

Since the benefit announced in the October issue, there have been new developments in John's situation. John and his wife are still in Pittsburg, Pa., where he has undergone a second liver transplant operation. There will be a lengthy recovery period and expenses are still mounting.

Due to delays in ticket distribution and the timing of the Sergeant's Oral Boards, the date and place of the drawing has been changed:

Date: Friday, January 20, 1984 at 5:30 P.M.

Place: POA Office, 510-7th Street.

The John Ellis Benefit Committee  
Charles Ellis, Chairman

## Widows & Orphans

The regular monthly meeting was called to order by Pres. W. Hardeman at 2:05 P.M. Wednesday November 16, 1983 in the Traffic Bureau Assembly Room, Hall of Justice.

A sufficient number of members were present for the transacting of the regular order of business:

**NEW MEMBERS:** The following were approved for membership: JEFFERY S. BULLARD, JAMES K. BARRON, DOMINIC M. CELAYA, DAIEL DEDET, NANCY E. DOWNEY, DIOSDADO S. DENTE, STEPHANIE A. GEAR, NICANOR E. GUERRA, RONALD P. HOLLINS, NATHAN JOHNSON, FRANCIS KANG, RONALD A. KRAMER, CHARLES E. LYONS, BENITO L. MANINANG, CHARLES A. MILLER, SHEILA L. PORTER, RONALD E. REYNOLDS, GEORGE SWARTZ.

The following donation was received and acknowledged by the Secretary: MR. & MRS. CHARLES BEENE — in memory of Scott Shannon.

Treasurer Bill Parenti reported "NO DEATHS" — 2nd month in a row.

**REPORT OF TRUSTEES:** Miss Monuth, Hibernia Bank, presented several suggestions to the Trustees for Sale & Buying of Stock & Federal Bonds. Trustees approved. Majority of Capital Gains at this time, are being placed in Fed, Notes or Bonds. Portfolio was increased during the past month.

**NEW BUSINESS:** Nominations — **PRESIDENT** — MICHAEL LENNON, V. **PRESIDENT** MICHAEL KEMMITT, **TRUSTEES**, MARK HURLEY, FRANK JORDAN, JOHN NEWLIN.

**ADJOURNMENT:** There being no further business to come before the membership, the meeting was adjourned at 2:35 P.M. in memory of all departed Brothers.

Faternally,  
Bob McKee, Secretary.

\* \* \*

The regular monthly meeting of The Widows & Orphans was called to order at 2:08 P.M. Wednesday December 21, 1983 in the Traffic Bureau Assembly Room, Hall of Justice.

All Officers and Trustees present with a sufficient number of members present for the transaction of regular business.

The following donations were received and acknowledged by the Secretary: DIRKSON - MILLER PRODUCTIONS — Proceeds from Bob Geary Show at On Broadway Theatre, MRS. IDA EDWARDS — 3 donations 1- for services by Richmond Station 2- for help by Officer W, Simms Co G 3- for assistance from Bob McKee, DAVID NASH — for assistance from members of Northern Station.

Treasurer Bill Parenti reported the following deaths: **ROBERT ABERNATHY** — Born in San Francisco in 1910, Bob became a member of the Department in 1940 at age 29. He was granted Military Leave from 1941 thru 1946 and upon his return was assigned to Traffic Bureau-3 wheel Detail. Bob worked there until 1953 when he was transferred to the Permit Bureau. After successfully passing the RangeMaster Exam he was assigned to the position in 1956, serving in that capacity until his retirement for service in 1970 at age 60. Bob was 73 at the time of his death.

**GEORGE BADGER** — Another San Franciscan born in 1905 and at age 27 entered the Department in 1932. George worked at various District Stations until 1938 when he was assigned to Traffic Bureau, Fixed Post Detail. In 1941 he resigned to work for various telephone companies in Utah & Oregon. George finally returned to California and was living in Calistoga when he passed away at age 78.

**CHARLES ETCHEBER** — Born in San Francisco in 1897 he became a policeman in 1930 at age 32. Charlie was assigned to the side car motorcycles (Fore runner of the Radio Cars) and worked the various Stations. When Radio Cars came in he was assigned to them with his M/C partner Dick Nieboldt. He was transferred to Communications in 1943 serving there until he retired from Service in 1961 at age 64. Charlie was 86 at his death and had attended the last meeting of the Veteran Police.

**THOMAS FITZPATRICK** — A San Franciscan, born in 1911, Tom became a member in 1936 at age 25. After the Academy, he was assigned to Solo Motorcycles until the World Fair at Treasure Island working there in 1939 and 1940. Assigned to Bureau of Inspectors in 1943, Tom was appointed an Assistant Inspector in 1945, a full Inspector in 1947. 1954 found Tom as head of the anti-subversive detail and in 1958 was placed in charge of Intelligence. In between he took the Sergeants Ex and was appointed a Sergeant in 1954. Then in 1964 was Director of the Bureau of Special Services until his retirement for service in 1969 at age 59. In spite of all these, Tom still had time to hold the posi-

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## S.F.P.O.W.A.

We hope everyone had a joyous and peaceful Christmas!

We were very busy during the holiday season. Fifty-two baskets of cookies and five boxes of gifts were donated to the Laguna Honda Hospital.

We also donated \$75.00 to the Examiner's "Christmas Camp for Seniors."

All of the district stations were delivered home baked goodies during the Christmas weekend.

Our December meeting/Christmas party was great fun and the Nor-Cal dinner, on December 12, was a great success. We had wives and their husbands from seven Bay Area jurisdictions and the State Police.

The POWCA Convention planning is starting now. We need all the help possible.

Just a reminder that dues for 1984-85 are due now. \$24.00 for the year.

We are getting involved with the Department's Fingerprinting Program. We feel this is a wonderful idea, considering the fear that all parents face today.

Our next meeting will be on Tuesday, February 7, 7:00 p.m., Hall of Justice, Police Commission Hearing Room, Fifth Floor. Hope to see you there!

## CHILDREN'S FINGERPRINT PROGRAM

The San Francisco Police Department, in conjunction with the PAL Cadets, and the Police Officers Wives Association, has scheduled four Saturdays in which you may participate in the fingerprinting program. The sole purpose of the public service program, is to utilize the fingerprint card as a tool for locating and identifying missing children.

The completed fingerprint cards are returned to be parents or guardians and no copy of this card is retained by the Police Department.

Parents and guardians are encouraged to participate in this program. If you have any questions or if we can be of any assistance, please call the Community Services Division at 553-1347.

The fingerprint locations are:

**Saturday, January 14, 1984**  
10:00 A.M. to 4:00 P.M.  
Stonestown Shopping Mall

**Saturday, January 21, 1984**  
10:00 A.M. to 4:00 P.M.  
Kezar Pavilion Parking Lot  
Stanyan & Waller Streets

the San Francisco  
**POLICEMAN**  
OFFICIAL PUBLICATION OF THE SAN FRANCISCO POLICE OFFICERS' ASSOCIATION  
510 - 7TH STREET, SAN FRANCISCO, CA 94103  
(415) 861-5060 861-5090

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ADDRESS ALL CORRESPONDENCE TO: Editor, S.F. Policeman, 510 - 7th St., San Francisco, CA 94103. No responsibility whatever is assumed by the San Francisco Policeman and/or the San Francisco Police Officers' Association for unsolicited material.

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Members or readers submitting letters to the editor are requested to observe these simple rules:

- Address letters to the Editor's Mail Box, 510 - 7th St., San Francisco, CA 94103
- Letters must be accompanied by the writer's true name and address. The name, but not the street address will be published with the letter.
- Unsigned letters and/or articles will not be used.
- Writers are assured freedom of expression within necessary limits of space and good taste.
- Please keep letters and/or articles brief and legible.
- The editor reserves the right to add editor's notes to any article submitted, if necessary.
- Articles should be limited to two pages, typed, double-spaced.

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## Treasurer's Column

by Duane Collins

# MONEY

## 1984 BUDGET

Every year in November the Treasurer must prepare a budget for the upcoming fiscal year. As I did last year, I have completed it and submitted it to the Budget committee for review. After a couple of changes I am now ready to submit it to the full board for approval.

Most of the costs are unchanged and carried forward, but, there are a few noteworthy exceptions. Account 875, Federal Litigation will remain unchanged even though we are engaged in protracted legal battles revolving around promotional exams. Account 860 is our legal defense spending and this cost seems to continually go up, this account will get my very close attention this year as it increased 25% to near \$100,000. Our legal costs account for nearly one third of your total dues money. On the brighter side, Political Contributions, account 855, was reduced 80%. Two other areas are sports and football, reduced 15% and 31% respectively. Some items were cut entirely from the budget this year and will have to be considered as a special appropriation, and these will be closely scrutinized by the board.

### Proposed 1984 Budget

	Budgeted 1983	Proposed 1984
701 Accounting	10,000	10,000
703 Annual Election	1,800	2,000
703 Awards & Donations	-	300
707 Bank Charges	50	-
709 Board of Directors	2,000	1,000
723 Dues Collection	2,500	2,500
725 Equipment Purchase	20,000	20,000
728 Equipment Rental	900	900
730 President Expense Account	4,800	4,800
740 General Membership Meetings	1,000	1,000
744 Insurance & Bonding	5,000	5,000
753 Janitorial	2,500	2,500
761 Equipment Maintenance	1,200	5,000
771 Mailing	6,000	6,000
772 Public Relations	3,000	10,000
772A Picnic	-	10,000
773 Rent	13,000	14,000
776 Salaries (Office)	38,400	50,000
777 Salaries (Executive)	33,100	35,000
779 Special Elections	3,000	3,000
781 Supplies (Office)	7,000	7,000
782 Supplies (Admin.)	1,200	1,500
782A Expenses (Admin.)	5,000	1,000
783 Tax (Payroll)	11,200	17,000
784 Tax (Personal Property)	150	150
785 Tax (Federal Payroll)	32,600	35,000
786 Tax (Federal Penalties)	-	300
787 Tax (State Payroll)	5,000	5,000
789 Tax (Franchise)	-	10
790 Tax (Unemployment)	-	300
792 Utilities	11,300	12,000
794 Building Maintenance	4,000	4,000
795 Employee Benefits	6,000	6,000
796 Presidential Ret.	-	2,000
805 Blood Bank	600	600
810 Board of Supervisors	2,000	200
815 Civil Service	300	300
825 Grievance	300	300
830 Health Service & Retirement	18,500	18,500
835 Insurance	1,500	500
839 Labor Council	-	-
840 I.U.P.A.	-	-
842 Installation Dinner	-	-
845 Legislativer	5,000	500
850 Labor Relations	1,800	250
850A Civilian Review (OCC)	1,000	-
855 Political Contribution	15,000	3,000
858 Legal Services	-	500
860 Screening	75,000	100,000
860A Screening Retainer	24,000	24,000
863 Publications	5,000	5,000
867 Uniform & Safety	200	200
870 C.O.P.S.	20,000	20,000
872A Life Insurance	15,000	15,000
875 Federal Litigation	55,000	55,000
880 Stress Program	1,650	2,000
883 Overtime	1,000	-
885 Variety Show	-	-
895 Sports	24,600	21,000
895A Centurion Football	10,200	7,000

\* \* \*

At the December 19th Board of Directors meeting the 1984 budget was approved by the Board after a few changes. The Legislative account, 845, was restored to its prior amount of \$5,000. Political Contributions, Account 855 was also restored to \$15,000. Backpacking Program, account 896, was reduced to \$10,000, as was Equipment Purchase, account 725, reduced from \$20,000 to \$5,000. Centurion Football and the Sports accounts were consolidated into a single account with the Sports Committee deciding how to spend their

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## VICE PRESIDENT'S COLUMN

by Paul Chignell

## GENERAL ORDER P-1 UNDER ATTACK



In 1978 the San Francisco Police Officers' Association and the Administration of the San Francisco Police Department entered into negotiations over a consistent and equitable transfer policy for members of the San Francisco Police Department. The intent was to remove political and friendship appointments to specialized units within the Police Department.

The culmination of these negotiations was the issuance of General Order P-1, the strongest labor transfer policy for rank & file members of any police department in the United States. Since the adoption of the order, members have been free to transfer to any unit in the San Francisco Police Department based upon seniority of request.

### MANAGEMENT RIGHTS

But General Order P-1 has not been a blank check for the rank & file; to the contrary, members can be passed over and another member on the list or one who did not even place their name on the list can be reassigned if management can document special skills or show that a member of one unit is not qualified to hold the new position. Management has done the above on numerous occasions, sometimes losing grievances when the documentation has not been adequate. In addition, the Police Officers' Association has considered and agreed to changes in P-1 to exempt lieutenants and captains from the Order and to limit the number of requests for transfer that are on file.

### SPECIALIZED UNITS

Scores of officers over the past five (5) years have used General Order P-1 to transfer to the Hondas, solo motorcycles, tactical, mounted, Homicide, Robbery and many other units. If not for General Order P-1, many of those members would not have had the "juice" or "friendship" connections to transfer to the units where they are presently assigned.

### BUREAU OF INVESTIGATIONS

The majority of the members of the Bureau of Investigations with the weighting towards the senior members want changes in P-1 if not outright elimination of the Order so that the lieutenants and/or the Captain can make the choice of which Inspector goes to the various units. A minority of inspectors desire minor or no changes in P-1. There is no doubt that there has been stagnation in the "Bureau" because of the lack of promotions from Q-2 to investigative positions but there is also a philosophical difference in the Bureau where a majority of the members feel that management should have the right to transfer members when and if they choose to do so. Any changes in P-1 to eliminate seniority request transfers will impact on patrol officers if and when they attain the ranks of Q-35 and Q-380.

### EXTENDED LOAN GAME

One of the ways that management "gets around" P-1 is to place members on extended loan to various units bypassing the P-1 requirements. All would agree that undercover assignments and special circumstances dictate that extended loans are necessary but subversion of General Order P-1 can not be tolerated.

### DISCUSSION AND VIGILANCE

All members of the San Francisco Police Officers' Association should be aware that administrators in this Department would like to scuttle if not emasculate General Order P-1 and that many administrators openly ridicule our existing transfer policy. This policy affects the entire Police Department and the future of patrol officers is at stake, not just for patrol specialized units but also for prospective positions in the Bureau of Investigations. Let your representative know what you feel about General Order P-1 so that members of the Board of Directors can intelligently weigh the issues if wholesale changes in the Order are proposed.

### NEGOTIATIONS NOT FIAT

Any changes in General Order P-1 will be done with the participation of the entire Police Department, not Bureau by Bureau. No changes will take place as the result of surveys by management or management surrogates but through the democratic process of the entire membership through the recognized employee organization.

## PRESIDENT'S MESSAGE

by Al Casciato

## Election '84



The P.O.A. Election will take place within a few weeks and there will be three policy questions on that ballot. They are: Policy Question #1: Should the P.O.A. re-affiliate with the International Union of Police Officers, AFL-CIO?

**I urge you to vote NO.** Do you want your money being used elsewhere? Presently all of our benefits are realized from the City Charter. We need to keep our money here in the City and use it to pass charter amendments that directly affect our pay, benefits and retirement. (Such as the June '84 night differential amendment.)

The concept of unity at the national level is admirable. I believe that MAYBE in the future our organization will need to reaffiliate with the IUPA but today we need the \$35,000 in dues and approximately \$10-15,000 in Committee travel and motel expenses per year, here to pass charter amendments.

**Policy Question #2: Should the P.O.A. Building be remodeled and expanded to allow for greater membership use?**

**I urge you to vote YES.** We currently owe \$65,000 on a building that is assessed between \$600,000 and \$700,000. Over the last year some of our members have used the building for a \$50.00 fee for meetings, wedding receptions, and even a New Year's Eve party. If we remodel and expand, MORE MEMBERS would make use of the building and the value of our property would be substantially increased.

In order to finance the expansion, a loan against the equity can be secured that will pay the construction costs, put a cash reserve in the bank to cover the loan payments until our dues income catches up, and provide excess monies that can be used to help finance this next year's charter elections, thus avoiding a need for an assessment which I will oppose if proposed.

**Policy Question #3: Should the retirement costs of the P.O.A. president be paid, thus preventing the loss of retirement dead time for those who serve?**

**I urge a YES vote.** Common sense will tell you that it is not fair to penalize those who want to work for our benefit. But as I said during my presidential campaign, if in the future we are to expect highly qualified, motivated and dedicated members to seek the office of the presidency, we must compensate the president on a level equal to whatever his/her rank is within the department. If we fail to do so in the future, persons aspiring to the office of the presidency will be only those who seek to use the position for their own personal political goals, those whose loyalty is to themselves, not the quality of life of the membership, "political junkies" who will stop at nothing to further their careers on the outside, at the expense of and with the money of the membership.

**Items being worked on at City Hall, Police Commission, and with the Chief.** The following is a list of those issues and items that my committees and I are currently working on:

1. 6.5% night differential charter amendment (June '84)
2. Memorandum of Understanding.
3. Hazard pay for units performing hazardous duties.
4. Demo convention (feeding and rest facilities).
5. Capital improvements of police facilities.
6. Secondary employment in uniform.
7. Changing the provider of uniforms and supplies.
8. Lawsuit time and half (holiday pay).
9. Promotional legal actions Q-80, Q-60, Q-50 & Q-35.
10. Commencement of retirement pay within 30 days of retirement.
11. Stress Educational Program.
12. Public relations program to enhance our image.
13. Payment of OT with two weeks.
14. OCC legal cases (3)
15. IAB and commission cases (7)
16. Civil actions (2)
17. Health and workmen's comp. (70) cases.

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# IRS: DISABILITY PENSIONS

By Mike Hebel  
Welfare Officer  
Attorney At Law

A large number of retired (industrial disability retirement) police officers and firefighters from San Francisco and Northern California have had their tax returns audited and examined by agents of the Internal Revenue Service. These audits have now involved police officers and firefighters who are residing throughout the states of California, Oregon, Idaho and Louisiana who have excluded all of their individual disability retirement benefits from their taxable income under section 104 (a) (1) of the Internal Revenue Code. The Internal Revenue Service has taken the firm position that its agents must strictly follow the holdings of revenue ruling 72-44 and 80-44 in determining the taxability of industrial disability benefits. The aggressive position of the Internal Revenue Service in the Western United States with regard to the taxability of industrial disability retirements require a new strategy in preparation of the 1983 U.S. form 1040 (individual income tax return), and in defending audits of prior returns.

Beginning on January 1, 1983 the tax laws (Tax Equity and Fiscal Responsibility Act of 1982) require that federal income taxes be withheld from most pensions unless the recipient elects not to have any taxes withheld. The new withholding provisions should be considered in connection with the taxability of industrial disability benefits. More information on this withholding requirement can be obtained from the Retirement System of the City and County of San Francisco or from the local office of the Internal Revenue Service.

## THE LAW

The Internal Revenue Service is relying on its revenue ruling 72-44 and more recently on revenue ruling 80-44 in order to tax a certain portion of San Francisco police officers' and firefighters' industrial disability retirement. The first ruling discusses the tax treatment of amounts received under various circumstances by disabled firemen of the Firemen's Pension and Relief Fund of the City of New Orleans. It concludes that payments received under the Pension and Relief Fund by a firefighter from New Orleans retired for disability incurred in the performance of duties are:

- fully excludable from gross income under section 104 (a) (1) of the Internal Revenue Code in the case of a firefighter who had not completed twenty (20) years of service (minimum required for service pension); and
- are excludable from gross income only to the extent that the pension does not exceed one-half (1/2) of the monthly compensation allowed at the salary at the date of disability retirement in the case of a firefighter who had completed twenty (20) years or more of service.

The ruling restates the principles applied to the New Orleans case.

## APPLICATION TO SAN FRANCISCO

The rationale of the revenue rulings is now being applied in the Western United States to police officers and firefighters who receive industrial disability retirement payments. In essence, the rulings hold that if a police officer or firefighter received an industrial disability retirement prior to the date that he or she was eligible

for a service retirement, all monies received from the Retirement System are excludable from gross income under section 104 (a) (1) of the Internal Revenue Code. However, when the firefighter or police officer, who left the police/fire service after 1969 because of an occupational disability becomes eligible for a service retirement (25 years of service and age 50 in San Francisco) that portion of the payment which is (1) attributed to age and years of service and (2) is in excess of the industrial disability retirement (50-90%) becomes fully taxable unless there is a permanent disability rating from the Workers' Compensation Appeals Board establishing permanent disability at a figure at or above the amount which the police officer or firefighter would normally receive for and as a service pension.

For example: if a 35 year old police officer is retired after 1969 due to an occupational injury and his disability is set at 50% of his final compensation, his monthly disability allowance is fully excludable and is not subject to federal or state income tax. Assuming at age 50 he qualifies for a service retirement, he would receive 55% of the amount of money then being received by a police officer. The IRS takes a position that the additional 5% is based on age and length of service and not on disability, and therefore does not meet the criteria set forth in section 104 of the Internal Revenue Code and is therefore taxable, unless the same police officer had received a disability rating from the Workers' Compensation Appeals Board establishing his disability at or above the figure of 55%.

Using the same 35 year old police officer but substituting a disability rating of 65% (established by the Workers' Compensation Appeals Board after the industrial disability retirement was awarded by the Retirement Board) due to a severe occupational injury, his or her allowance is fully excludable and his or her entire service retirement would also be excludable since the disability rating (65%) is more than the percentage he will receive as a service retirement (55%).

For 1969 and prior years, a member automatically received 75% of salary when awarded an industrial disability retirement. When that person becomes eligible for a service retirement (having attained the age and years of service), no part of his retirement is taxable since the 75% would exceed whatever service retirement that he may have been eligible to receive (50-70%).

## DISABILITY RATING

It now appears that more attention will have to be given to obtaining a rating from the Workers' Compensation Appeals Board after the industrial disability retirement has been awarded by the Retirement Board. (It should be noted at this point that police officers and firefighters who are under Tier II Retirement System — Post 1976 — are not entitled to a disability rating since their disability is statutorily set at 50%). That rating, if it falls below 50%, has no effect whatsoever on the retirement since the minimum retirement is 50%. However, an award 50% has now become important for a second reason (the first being the additional monthly monies received); the rating is now necessary in order to protect the non-taxability of these retirement monies once a police officer or firefighter reaches normal retirement age.

The procedure for obtaining such a rating is as follows: an application for adjudication of claim is filed with the Workers' Compensation Appeals Board and the matter is calendared for a rating conference. An informal rating based on medical reports in evidence is then obtained from the Disability Rating Bureau; the rating thus obtained is presented to the judge for purposes of having the rating fixed in an award or fixed by stipulations of the attorneys involved.

## 1983 TAX RETURN

The completion of the U.S. individual income tax return for 1983 requires that pensions and annuities be reported on the front side of form 1040 at lines 16, 17a and 17b. The computation for completing lines 16 and 17a and 17b is found on a worksheet provided on page 10 of the U.S. income tax forms and instruction package which is sent to all taxpayers. Line 16 is for the reporting of fully taxable pensions and annuities. On line 16, for example, all service pension monies, remaining after all exclusions have been made for monies which the member has already contributed to the Retirement System, are reported.

On line 17a and 17b, along with the worksheet on page 10, are for the reporting of industrial disability retirement pensions. On line 17a, the amount shown on the W-2P received from the Retirement System of the City and County of San Francisco is entered. Only the taxable amount, if any and computed in accordance with the worksheet on page 10 of the instructions and the legal principals set forth in this article, should be reported at line 17b.

It should be kept in mind that the Retirement System at the end of January of each year forwards to each member receiving an industrial disability retirement a form W-2P indicating the amounts of monies which the Retirement System has paid to the member in the prior year. Please take note that a copy of this form is also sent to the Internal Revenue Service Center in Fresno and can be matched with monies which should be reported on line 17a. A police officer or firefighter who has received an industrial disability retirement and does not report such amount on line 17a on form 1040

continued on page 13

## Peer Support For A Real Professional

by John McKenna

One of the paramount responsibilities of persons in law enforcement is to conduct themselves in a professional manner.

Recent events have placed a doubt in the minds of the signers of this letter as to the professional ability of District Attorney Arlo Smith. The callous, shoddy attitude he displayed in a recent news conference regarding the integrity and honesty of Inspector Frank Falzon of the Homicide Detail regarding his investigation of the Dan White case is reprehensible.

Meeting with a member of the press and an attorney the subject of the testimony during said case by Inspector Falzon was brought into question. No one questions Mr. Smith's right to meet with people, nor do we question his right to investigate said allegations, but all of us are familiar with ways said facts can be investigated. Certainly the information or allegations supplied should not have been that difficult to look into. The court testimony, the investigation, the availability of witnesses, all readily available should have been immediately apparent. Instead of a proper investigation, keeping in mind the legal adage "Innocent until proven guilty," we had a trial by journalism.

What is most crushing to seasoned investigators is the lack of consideration regarding Inspector Falzon's reputation. He is not an unknown quality. He is a veteran policeman and investigator. His reputation for honesty has never been questioned. Professional, dependable, responsible, all important in our profession he carries with dignity.

These above factors should have been immediately apparent to Mr. Smith and should have been a criteria in any utterances to the media. Instead we read and hear of serious doubts regarding Inspector Falzon's testimony and a word PERJURY bandied about. All apparently because of politics, shoddy investigative journalism and a witness who proved to be mistaken, have created anguish to the Inspector and his family. Mr. Smith cannot apologize for this.

Several incidents in his administration in the past have bemused many members of this Department. All had, we hoped, been laid aside with the thought that any administration is subject to difficulties in its shake down cruise. This incident, however, has cast credible doubts in this Department as to a proper working relationship between our agencies.

Many signers of this letter are officers and members in associations of this Department. We had endorsed Mr. Smith's candidacy. We felt the initial difficulties in his administration were behind him, that together we could have joined in a service to the citizens we serve. We will still do so, but inwardly we resent cheap politics, we resent a good man's vilification, we resent the way this matter was handled and now many of us resent that we endorsed Mr. Smith.

Inspector Falzon investigated a most difficult case with common sense and professionalism, to be treated so shabbily does not hurt him alone, it hurts all of us. The high moral ground was not walked in this matter.

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# General Order F-1 The Proposed Firearms Use Policy

by Dave Herman (Patrol Bureau Task Force)

Recently I reviewed a draft of the new Firearms Use Policy known as General Order F-1. Included in this proposed policy statement are some very dangerous and drastic procedures by which the department would have you act in situations where the drawing of a weapon is involved. Here are a few of the proposed guidelines, and criteria set forth in this order.

1. POLICY-SECTION-B-NOTHING IN THE FIREARMS USE POLICY SHALL PRECLUDE THE DRAWING OF THE OFFICERS FIREARM DURING THE COURSE OF AN ARREST OR INVESTIGATION WHEN HE DEEMS IT NECESSARY FOR HIS OWN SAFETY OR THAT OF ANOTHER PERSON. FIREARMS SHALL NOT BE DISPLAYED WITHOUT JUSTIFIABLE CAUSE.

The first part of this statement appears standard in wording with the key words being NOTHING, PRECLUDES, and when HE deems it necessary. The last sentence however reads, FIREARMS SHALL NOT BE DISPLAYED WITHOUT JUSTIFIABLE CAUSE, this is the first indication that a major shift in policy and practice is being proposed. Let's read on and see in which direction this order is heading.

2. DRAWING FIREARMS-SECTION-A-AN OFFICER MAY DRAW AND BE READY TO USE HIS FIREARM AT ANY TIME HE HAS REASONABLE CAUSE TO BELIEVE THAT HE OR ANOTHER PERSON IS IN IMMEDIATE DANGER OF DEATH OR GREAT BODILY HARM.

Here is a major departure from previous policy and practice, whereas previous policy stated the department preferred you draw your weapon in situations to lessen the risk of attack upon yourself or someone else or minimize the possibility of escape by a suspect, but now instead of drawing your weapon as a practical deterrent and safeguard against further escalation the department will require you only draw your weapon in life threatening situations for you or a citizen.

Under this new proposal there is no mention of drawing a weapon until you're in a clearly justified shooting situation, at which point it may be already too late for you or said citizen.

SECTION IIB. 1-ANY OFFICER DISPLAYING A WEAPON IN PUBLIC MUST BE ABLE TO ARTICULATE THE REASON FOR SUCH ACTION IN ACCORDANCE TO THE TERMS OF THIS ORDER AND THE MOST RECENT TRAINING BULLETINS REGARDING THE SUBJECT.

"Articulate the reason for such action," but to whom do I articulate? Why my supervisor of course! Read on.

SECTION IV-REPORTING PROCEDURES — WHEN IT'S NECESSARY FOR AN OFFICER TO DISPLAY A FIREARM (REVOLVER, SHOTGUN, AR15, ETC.) THE OFFICER SHALL NOTIFY HIS SUPERVISORY OFFICER OF THE INCIDENT. THE SUPERVISORY OFFICER SHALL REVIEW THE MATTER AND REPORT HIS FINDINGS IN WRITING TO HIS COMMANDING OFFICER. THE REPORT SHALL CONTAIN HIS CONCLUSIONS AS TO WHETHER THE ACTION WAS JUSTIFIED.

SECTION IV--A-THE COMMANDING OFFICER SHALL FORWARD HIS OWN REPORT TOGETHER WITH THE SUPERVISORY OFFICERS REPORT TO THE WEAPONS ADVISORY COMMITTEE FOR FURTHER EVALUATION OR ACTION.

Herein lies the heart of this proposed order, this department plans to start a review of each time you

draw your weapon in the course of your police duties. A supervisory officer (probably not at the scene of an incident) is going to evaluate your actions and report his or her findings in writing, in turn your Commanding Officer will also prepare a report based on the supervisor's report, and both reports will be forwarded to an elaborately organized review committee for further scrutiny. It's questionable as to why such a committee would even exist, except to make conduct and disciplinary recommendations based upon the reports they receive.

The reasoning behind this proposal is probably shrouded in some remote incident that may have taken place or could be considered as a form of liability safeguard for the city and department from a legal standpoint. Whatever the reasons, it's a rather dismal judgement call on the part of the administration. Police officers in this department have used great restraint and sound reasoning in drawing and use of firearms for years, and the low number of shooting incidents and complaints in relationship to the drawing of weapons will bear this out. The present Firearms Policy (General Order F-1) is a more than adequate standard by which we operate as law enforcement officers.

This proposal as presented by the administration and if adopted in any kind of relative form will only facilitate in getting a police officer forced into some detrimental situation causing serious injury or death to himself or some citizen.

At present the Association and Administration have met and conferred on the proposed order, and the order has been sent back to the committee (where it should stay forever) but I'm sure we haven't seen the last of these proposals or some modified version of the same.

## TOO FEW DOLLARS ...

Once upon a time, over 95% of the SFPD members belonged to the Community Services Fund at a cost of only \$1 per month via payroll deduction. Do you belong?

We suspect that most everybody takes the \$12 a year off of their income taxes BELIEVING that they do belong, but they don't. Do you belong?

Your \$12 a year would increase the Community Services Fund to almost \$21,000 a year. This kind of budget is small potatoes, but still the Committee is able to make several contributions and/or donations to more than a few of the charities which you, the members, constantly bring to our attention. Do you belong?

The Community Services committee regularly meets once a month to consider all requests. December was a typical month. We paid for a truck and lunch for four members of the department to deliver 80 decorated trees to senior's homes, which had been made available to us. We were able to make donations to the Shriner's East-West football ball game, the Laguna Honda Hospital, Harbor Lights of the Salvation Army, the American Trauma Center, St. Anthony's Christmas dinners, and a small contribution to the Department's United Way campaign (of which we designated where we wanted the monies to go). Do you belong?

We have published in this newspaper previously, a list of all members who belong. Then we sent a letter to all non-members. Did you join? Do you belong?

All it takes to join the Community Services Fund is a signed payroll deduction card at just 46 cents per pay period. Will you please join us?

The Community Services Committee  
Gayle Wright

## \$2500 BENEFICIARY CARD

Several hundred members have not signed and returned the Enrollment and Beneficiary card is mailed out in early December. WE CHANGED INSURANCE COMPANIES IN ORDER TO SAVE EVERYBODY MONEY ON THE NECESSARY PREMIUMS. That's why new enrollment cards are required.

Every member receives a policy for \$2500. This is the Basic plan. If that's all you want, that's fine, but we still need your signed E & B card right now. Check off the Basic plan, sign it, name your beneficiary and send it to the POA via departmental mails.

The Group Plan offers higher benefits at

reasonable rates. If you choose this plan IN ADDITION TO THE BASIC PLAN, then you will need to also sign the payroll deduction card (only sign it) and send that in with your signed E & B card. Be sure to designate your beneficiary too.

All Certificates of Insurance will be mailed at one time, once we have everybody's E & B card (and payroll cards too).

Please respond quickly,

The Insurance Committee  
Gayle Wright

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Beneficiary _____			
Given Name		Middle Initial	Last Name Relationship
Please enroll me in the following plans:			
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<input type="checkbox"/> Group Term Life—\$25,000 (see schedule) sign payroll deduction and enrollment cards			
<input type="checkbox"/> Additional Group Term Life \$5,000—sign payroll deduction and enrollment cards			
<input type="checkbox"/> Accidental death and dismemberment—\$10,000—sign payroll deduction and enrollment cards			
<input type="checkbox"/> Term Life for members retired prior to 1965—\$1,000—sign enrollment card only			
<input type="checkbox"/> I have read the information above and do not wish to enroll			
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## P.I.G. SURVEY RESULTS

by Dr. Judi Wexler and Vicki Quinn

Remember the survey that all the candidates for the sergeant and assistant inspector exams received in March, 1983 through the Promotional Information Group (P.I.G.)? Well, finally we finished the report and submitted it to Deputy Chief Shannon. As promised, we are publishing the results in the P.O.A. paper.

But first we want to thank the numerous people who helped produce and tabulate the survey: Officers Pat Correa, Lynne Torres, Barbara Jackson, Johnetta Daniels, Larry Ratti, Mindy Pengel, Sgt. Harlan Wilson, Sgt. Al Benner, members of the P.I.G. Steering Committee and lastly D. C. James Shannon for making many resources available to us. Thanks especially to those cops who took the time to complete the questionnaires. If anyone wishes more information than what is printed below, contact Vicki Quinn (days, Co. E).

### THE SURVEY

The purpose of the survey was to examine training needs of those officers who would be appointed to the positions of sergeant or assistant inspector.

166 officers completed the questionnaire (697 took the exams), and a representative sample was obtained for males and females, minorities and non-minorities. 51% had at least 10 years in the business and 23% had five years or less. The majority (82%) of those planning to take at least one exam had at least 3 years at patrol assignments. The white males had the highest percentage with over 3 years patrol experience (89%), followed by the minority males (76%), the minority females (62%) and the white females (50%). The difference in the amount of patrol experience is a significant factor to note as patrol experience is an important preparation for the job of street sergeant. The lack of street experience has serious training implications as will be discussed later.

Although the survey was taken 3 months before the written exams were administered, only 20% of those planning to take an exam were studying over 10 hours a week. This fact is interesting considering that a sergeant's exam had not been given for 7 years. However, neither a scope had been released nor a date had been confirmed at that time. No significant differences were found among the various subgroups in the amount of time spent studying.

### SUMMARY OF FINDINGS

The respondents demonstrated a great deal of concern about training and career development. They looked at being a police officer as a career in which one uses training to build upon existing skills in the development of new ones. The interest in training went beyond preparation for exams or new positions to include learning to more effectively perform in positions.

Although these officers were generally quite motivated to advance their careers, it was not clear that they necessarily knew what would be most helpful in this respect. For example, many whose first choice was to become an assistant inspector also planned to take the lieutenant's exam in the future, even though holding the rank of sergeant is mandatory for further promotion. The experience gained as a sergeant would be most helpful in becoming, and being, a lieutenant.

Virtually all of those hoping for a promotion saw the training they would receive as important to their effective performance. This was equally true of minorities and non-minorities and of men and women. The four subgroups exhibited only minor differences in the areas on which they wanted training to become sergeants or assistant inspectors.

There were significant differences in the way in which men and women perceived their present levels of com-

petency to do specific aspects of the two positions. The women were apt to see themselves as being less competent than the men saw themselves. This difference in self-confidence reflects a general difference between men and women in this society. In contrast, minority and non-minority officers were quite similar, as the former rated their present competency significantly lower than did the latter on only two of the 23 specified tasks of sergeants.

These officers were most concerned about their performance as effective supervisors in the position of sergeant. Supervisory concerns were mentioned in the position of sergeant. Supervisory concerns were mentioned almost three times more often than were effective decision making and knowledge, the second ranking concerns.

Perhaps because virtually everyone had patrol experience, the respondents seemed to know a lot about what sergeants do while they were less knowledgeable about the job of assistant inspector. They also perceived themselves as significantly less competent presently on the tasks of assistant inspectors. Thus, the most often mentioned concern about being an effective assistant inspector had to do with learning the proper procedures.

The respondents more frequently chose to become sergeants rather than assistant inspectors. This was true of all subgroups except for the women. More women gave the position of assistant inspector as their first choice. At least one explanation for this lies in their greater concern about the reception of women sergeants than of women assistant inspectors.

### TRAINING IMPLICATIONS

The interest officers have in career preparation and advancement can be used by the Department to create more effectively prepared personnel at all levels and to make available training opportunities to meet specific needs. Doing this would involve examining the types of training needs, the range of training utilized by the Department, and how to best provide for them on a regular basis. In general terms, training is needed to enhance exam-taking skills, to prepare for specific exams, to prepare to assume new positions, and to improve skills in existing positions. The diversity in backgrounds of Department personnel means that some people will need more training to be adequately prepared to take an exam or to assume a position. The Department can most efficiently deal with this by making available a variety of training opportunities on an on-going basis and by encouraging individuals to select programs based on their own needs. These courses would not necessarily be given by the Department. For example, courses relevant to exam taking (reading comprehension, writing, etc.) are available at City College and elsewhere; the Civil Service Commission gives courses on supervision; local colleges offer management and Administration of Justice courses. The Department would need to encourage people to improve their skills (making it clear that attending training does not guarantee improved rank) and to make them aware of the opportunities to do so. In this way, one can meet the obligation to provide women and minorities with any training opportunities they may need without the hostility or second class status which goes along with singling them out.

As part of an employee development program, information on the types of assignments and activities which could be helpful for achievement in the promotional process should be made widely available. For example, patrol officers should be explicitly aware that patrol experience will help them prepare for the sergeant's examination and job. They should know that taking on the responsibilities of a Field Training Officer or an Academy staff member is a helpful way to gain experience and confidence as a supervisor. It cannot be assumed that everyone has such information; women and minorities, in particular, may have lesser access to informal career guidance information and to information about changing organizational priorities.

The training to be provided officers moving into promotions is important to the Department and the individuals in the Department. The Department can use such training to expose officers to its goals as well as to procedures. In the course of being trained the individual comes to learn expectations to be met and develops new skills and perceptions of competency. Training must be well thought out and provide teaching which is reinforced. The more difficult and complex the material to be learned, the greater the necessity for reinforcement. People need several exposures over a period of time if they are to be able to remember and use something new. (See training articles in Appendix.)

Not all patrol officers have the same training needs, but these results demonstrate great similarities in the subject matter they want to be covered in their training for sergeant and assistant inspector positions. Since there were no significant differences in the areas of training wanted by men or women and minorities or non-minorities there does not seem to be a need to provide separate training for these positions. However, it is important that the training that is provided be made explicitly relevant to women and minorities. Equally important, creditable women and minorities should participate as trainings. Training materials, such as visual

tapes and written handouts, must be reviewed to make sure that women and minorities are shown acting in police roles, especially command roles. This is a way of building positive role models for them and of teaching others to expect to see them in such positions. The legitimacy of their being in these positions must be clearly affirmed by the Department.

The women's significantly lower self-competency perceptions must be dealt with to enhance their retention and performance. To some extent it is the direct result of their lesser experience, particularly street experience. This can be dealt with in the future by encouraging women to stay on patrol and by seeing that they get the usual range of assignments on patrol. For the present group, confidence can be increased by: providing job training up front; providing opportunities for success experiences in training by making it participatory (with simulations and street time, for example); encouraging others to perceive them as effective officers; and providing on-going reinforcement. These are aspects of successful training for everyone but are more important for women.

The women's confidence in their performance abilities, and their actual opportunities to perform, can be increased, or undermined, by the way in which the Department presents the newly promoted women. It needs to be made clear that the Department and its mid-managers support the women sergeants and that their promotion was the result of achievement in the exam process rather than because of court requirements. Women perform better as leaders when they know they have acquired their position through merit. They are also evaluated more positively by men who have been explicitly told about the women's previous successful performances.

The reception male officers will give the new women sergeants is a major concern for the women seeking promotion. Expectations of hostility and resistance are leading many to choose to be promoted to assistant inspector rather than sergeant. Since this will present representation problems at the next promotional level, it is in the Department's long range interests to act to reduce these fears and encourage women to become sergeants. It can do this by clearly stating its confidence in, and support of, women sergeants. It can indicate that the women will not be left on their own to deal with the inevitable challenges to their authority. Since women will find that many of sergeants' traditional ways of dealing with such challenges are not appropriate for them, they will have to develop new approaches. The bimonthly problem solving sessions suggested to improve supervision in general would be excellent as a way to also generate ideas and provide support. The lot of the pioneer is difficult and many of the eligible women have already gone through one round of being first. They are more likely to be willing to do it again if they are given support.

The support of higher ranking officers is important for all new sergeants. Because there are no women, and relatively few minorities, in supervisory positions such support is essential for them. Their scarcity means that special attention must be given their situation to assure that they are integrated into the work group and not isolated or ignored. They must be given the same opportunities and responsibilities and be judged by the same standards as others at their level. Lieutenants and captains must be made sensitive to opportunities to encourage their acceptance.

Supervisory training is especially salient for all considering the position of sergeant. Those looking ahead to being sergeants are most concerned about being able to effectively supervise. The Department needs good and uniform supervision. Sergeants need to be able to get together regularly to confer on supervisory techniques and to achieve some uniformity in procedures. If sergeants are to be able to really supervise, what is expected of them must be made clear and they must be supported by higher ranking officers. As long as supervision seems to be a matter of individual personality, it can only have limited effectiveness.

The training for sergeant must recognize that there are real differences in the amount of patrol experience individuals have and in the recency of that experience. Some will have had limited exposure to many of the procedures and regulations they learned in the abstract for the exam. The more concrete the training can be made (in terms of simulations and street time) the more readily these limitations can be overcome.

Training for assistant inspectors must recognize that patrol officers are less familiar with this position. The respondents were concerned about learning effective investigative techniques, but overall they were not very concerned about learning the position.

Finally, the comments we received reflected a high degree of frustration about delays, about exam validity, about lack of recognition for performance, and about an overall lack of training. The respondents were highly motivated to move ahead and to develop their skills. Training should be provided which makes it possible for these motivated officers to continue to learn.

The Department is in a difficult situation in regard to promotions. The delays hurt everyone. It is time to plan ahead both on training for exams and for working in the positions. The focus has to be shifted from numbers to proposals directed at achieving the goals.

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## FREEWAY ASSAULT

If it were a movie scenario, it might be called "Incident on a Freeway."

But it isn't make believe. It's a real life drama which took place on an elevated section of northbound Interstate Highway 280 in San Francisco.

It happened yesterday at about 10:30 a.m.

A woman is driving up from the Peninsula on her way to the city.

Suddenly she sees a man on the shoulder of the roadway beating a woman and apparently trying to push her over the guard rail.

The woman in the car, who is accompanied by her 6-year-old daughter, acts on instinct. She stops her car but is afraid to get out because two other people are sitting in another car watching the assault. She starts honking her horn.

The pair shrug it off.

"It's his wife," one of them says.

Another car stops, but the occupant doesn't get out either.

Then another car stops, and the driver, a 42-year-old Redwood City man, gets out, wielding a large, heavy flashlight.

Later he explains what happened.

"I was on 101 north and turned onto the on-ramp for 280. There appeared to be an accident in the far right lane. I was going to go around it," but then, he said, he saw "a man beating the hell out of this girl."

Armed with the flashlight, the motorist from Redwood City said he approached the struggling couple.

"I pulled him off of her...but he went right back to her. Then he tried to push her over the railing."

The intervenor estimated the railing was about 100 feet above the ground.

"After I pulled him off her for about the third time," he said, "this guy came up flashing his badge."

The man with the badge was San Francisco police patrolman James Strange.

Strange stopped the assault and the man from Redwood City offered to drive the woman to the Hall of Justice.

The man who had been struggling with the woman identified himself as Alphonso Rhodes, 24, of 857 Missouri St.

"I took his driver's license and I told him to come to the Hall of Justice," Strange said.

There Rhodes was arrested on charges of attempted murder and jailed.

The woman, 22-year-old Rhonda Taybron of San Francisco, told police and the man from Redwood City that Rhodes was her boyfriend.

But she agreed to press charges.

Today, Strange praised the man from Redwood City, saying he acted correctly in a difficult situation.

"He was very restrained. Actually, legally, he could have knocked the guy a few times with the flashlight," Strange said.

A colleague who has served on the force with Strange since they graduated from the police academy together more than 13 years ago, said Strange, too, often shows restraint.

"He has a very soft manner about him," Inspector Richard Adkins said. "He is the kind of person who can come across to anyone."

Strange, Adkins said, is "pretty muscular," but probably because of his calm demeanor, "he is very good at defusing situations."

If the man from Redwood City had not intervened, Strange said the woman would probably have been severely beaten.

If she had fallen or been pushed over the freeway railing, "she would have been killed," Strange added.

Why did the man from Redwood City come to the aid of a woman he had never seen before?

"There were four cars stopped already, and nobody would get out of the car. I was thinking of that case in New York where a woman was stabbed to death while people watched," he said. "I made a conscious decision to act."

He said this was the third time he has stopped to help a stranger in distress, "and it's going to get me killed some day."

by Ron Roth

Tactical Division

Recently Chief Murphy was awarded the City's Department Head of the Year Award by Mayor Feinstein. We know that he truly deserved this award with a drastic cut in the crime rate; the soon-to-be functioning fingerprint computer; the efficient managing of this complex, often criticized department; the strengthening of the solo, canine, and mounted units; and the youth backpacking program, just to mention a few of his many accomplishments. Added to this list is the Department's decrease in response time for calls for service through the new computerized dispatch system.

Most police officers know that prior to computerized dispatch there was a long time delay from the initial call for help to the time the dispatcher could put out the call. Now this time lag has been reduced to a minimal amount of time. From experience, I could tell you that generally when an "A" priority call is broadcast, a radio car is on the scene anywhere from 10 seconds to 2 or 3 minutes. By "A" priority, I mean a burglary-in-progress, a man with a gun, or runs of serious nature. I believe this response time has remained constant; police officers, by nature, want to get to the run as soon as possible to help the calling party.

Unfortunately the burden of this fast response time has been placed on the police officer's shoulders. We are ordered by Department Policy to respond to all calls for service in a code 1 mode, unless communications tells us otherwise. Code 1 mode means respond at earliest convenience, strictly obeying all traffic laws, no emergency lights or siren authorized. In my years as a patrolman I can't remember communications giving out a run code 2 or code 3 unless an officer was calling for help. We are allowed to upgrade a code if we have specific "personal" knowledge that incident warrants a faster response. (You must be ready to articulate this "personal" knowledge at a later time).

How many police officers do you know that go to "A" priority calls in a code 1 response? I don't know any. What would happen to these short response times if the officer on the street went to calls such as a silent bank alarm driving no faster than 25 MPH, or if he made a genuine stop at every stop sign, or if he never "cheated" on a red light? We, as police officers, know the seriousness of these runs and we know the public deserves to have the police there as soon as possible, therefore we are literally "taking our chances" everytime we cop a u-turn on Mission St. to investigate a crazy man with a knife 1/2 block behind us; we are "taking our chances" everytime we pass a car on the

right going to a call of a woman screaming for help; we are "taking our chances" every time we activate the red light responding to a gangfight with guns and knives.

The last time you called the Fire Department for a washdown at a traffic accident did you notice the siren and red lights? As far as I know, the Fire Department responds with red lights and siren (code 3) to most calls for service whether or not they are confirmed emergencies. This is only right, as the potential for disaster is always there. The same goes with our Department, we don't know if a run is truly an emergency until we get there. Does the city want us to take out time (earliest convenience), getting stuck in traffic jams, obeying the vehicle code to the letter of the law? I think not, I believe the people of San Francisco want us to apprehend the criminal during the crime rather than pick up the pieces after the fact. This can only be done with a change of policy.

I think the administration should take a hard look at the existing order regarding Code 3 driving procedure and seriously think of altering that policy to adapt to the type of crime and the vicious criminals that victimize the citizens of San Francisco today. If this is not done, we police officers should think about getting together for a one month period literally following Department response driving procedures and see the average radio car response times jump from 2 or 3 minutes to ten minutes. Maybe then the public would see that a change is really needed.

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AROUND THE DEPARTMENT

by Don Carlson

YOU WANNA BET? ...Which do you think will be adopted first: a permanent Sergeants' list or a permanent Lieutenant's list? Did I hear someone say "Neither one!"? Or was that "Who cares!"?

YOUR PBTF IN ACTION!...In the 11/25 edition of the Chron, Ed Iwata penned a nice article detailing the accomplishments of the Patrol Bureau Task Force, including a ride-along with Bruce Marovich and Rich Hargens. Other PBTF members, however, are still trying to figure out who the writer meant in referring to Bruce's "lighter, swifter" partner.

IT'S ABOUT TIME...Supervisor John Molinari is planning to present a resolution from the Board to the members of Northern Station, thanking them for their service and performance at City Hall and Supervisors' Security details. I'll believe it when it happens.

SOMETHING'S IN THE AIR...Also at Co. E, my source tells me that a foreign substance has apparently found its way into the ventilation system. How else can the recent rash of marriages (B. Canedo, J. Haverkamp, B. Boyd, "Diamonds" McKenna, A. Hom, J. Dudley, E. Santos, J. Drago and B. Porter) over the last three months be explained?

HOW TO SEE EUROPE ON \$5 A DAY...First, get married in Spain, then take a two-month honeymoon trip across the continent. That's what Al Serrano (TAC) and wife Laura did in September. One of the trip's highlights occurred when Al tried to board the 10:17 gondola at 10:17:05. Splash!

OUT TO STUD?...Jack O'Shea (retired) wants to let other retired members know that he's always looking for people like you to perform some civil investigative work. You can reach Jack at Krout and Schneider, Inc., 350 Sansome St., #101-Mezzanine, 94104, or phone 982-1066.

KNOW YOUR FRIENDS...Paul Ingalls, writing in the Nov. 11, 1983 issue of the Santa Rosa Press-Democrat, revealed that Assembly-seat candidate Paul Chignell received \$65,000 for his last campaign through the auspices of Speaker Willie Brown. Does this establish a conflict of interest for Chignell if he's representing you in answer to a complaint in which Mr. Brown is involved? Think about it.

AND LET'S BE CAREFUL OUT THERE...One newly assigned temporary Lieutenant has already earned the nickname of a deposed political figure for his "hackin' and a-hewin" approach with members of his watch. Wouldn't it be something to be able to work TOGETHER for a change?

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## As society stands silent, police mourn a colleague

Submitted by Phil Dito  
By Dan Milchovich

Inglewood, Calif. — You have to be there to understand. You have to stand and watch and pray with those of us who come as strangers. And even then you need to be a part of our world to know the hollow feeling that never quite disappears when it is over. Those who have never shared the streets cannot really comprehend what we leave behind when we cops walk away from a dead comrade.

It is more than a time for reflection. It goes beyond paying tribute. If you could look past the ceremonial formations and colorful flashing lights you would find a chink in the armor. Anger and fear boil just beneath the surface of granite purposely chiseled to reflect control, to hide emotions, to lie. This ceremony will take us as close as we will ever come to thumbing our noses at those whom we protect.

Standing in motionless ranks under the cemetery sun, we are light-years from "the community" and its concerns — the family brawls over burnt bacon, the pimps cruising in their cars, the barking dogs at midnight. As so many times before, the significance reposing in this man's death will be lost on a community that builds monuments to its anti-heroes and wastes its intellect creating new ways to circumvent laws that have become distasteful.

It has never made sense to us. And the sight of another flag-draped coffin leaves us grasping for some equilibrium in our role: protectors of a community that stands apart in stony silence when we are sacrificed. We

have learned to deal with the absurdity of fate and its shattering unpredictability. What's tough is dealing with the betrayal that we sense in the silence.

We do not profess to be larger than life, more important than our neighbors, enlightened beyond human capability. We also raise kids, pay bills, fight freeway traffic. We are different in one respect: We live in a constant internal struggle to strike a balance between image and reality, between what our neighbors think is true, or wish were true (and we share that wish, too), and what we know is true.

At the point of that balance is our ability to trust what our fears tell us while keeping in perspective our judgment of the entire human race and its capacity for cruelty.

We exist in the mainstream, but what we deal with daily plants us squarely on the fringe. It is not always possible to keep the two worlds apart. So we have become a family of strangers, united to a battered altruism and secure in the recognition that we are what others do not want to be. We do what others are not willing to do. We see what others hope never to see. And we die for reasons beyond even our comprehension.

We do not revel in the romanticism of noble death. There is nothing romantic about blood-soaked uniforms and fatherless children.

We bury our dead with ceremony only to restore a measure of dignity to the memory of someone whose last moments were suffered in degradation, pain and helplessness. We have nothing to offer but our respect.

In doing that we will be reminded to respect fear.

We are not afraid, yet we must acknowledge our fear of death, for survival depends on harmony with this always-close companion. We claim no pleasure in knowing this fear better than we know trust or compassion, but neither do we apologize, for trust in the goodness of mankind has returned so many of us to dust.

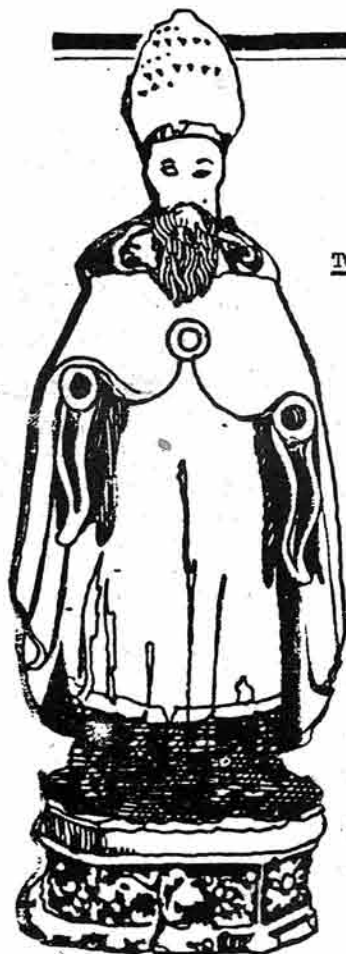
That is why we gather by the hundreds to give public expression of our grief — grief for our own small losses, and for a man whom most of us never knew in life. For a few hours our bond will be stronger than petty rivalries and bureaucratic nonsense, a bond that cannot be defined by laymen or regulated by political decree. To share the bond is enough.

There is not a more solemn moment than when a solitary figure standing on a distant rise sends the first notes of Taps across a rolling landscape. In the years to come, when everyone else has forgotten this man's sacrifice, and even his name, we will hear that sound and see the bewildered children clutching folded flags, the shattered families lingering by open graves — and feel again the chill of silence.

We break ranks and walk away knowing that we will once again gather over one of our own. We glance at one another, wondering who will be next. And we return to work steeled against the horror that each new death will change absolutely nothing.

Dan Milchovich is a detective with the Inglewood, Calif., Police Department.

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# City Watch

## Fingerprint Computer, at last

by Beth Hughes  
S.F. Examiner

Like kids perched atop the banister, waiting to open Christmas goodies, San Francisco cops are awaiting next week's delivery of a state-of-the-art fingerprint identification computer.

Bubbling with enthusiasm, Inspector Ken Moses of the crime lab can detail just what the machine will do:

- Using a dime-sized fragment of one fingerprint, the machine can match it to one of the 3 million fingerprints that will be programmed into its memory.
- If a suspect gives police a false name when arrested, the computer can ferret out the true identity in 50 seconds, if prints are on file.
- It will eliminate the time-consuming, often fruitless manual search of the department's criminal records, which requires at least three complete prints for experts to make a match.
- If a suspect's prints are not on file under the person's name, the computer will automatically match the prints against those found at the scenes of unsolved crimes.

The same machine, installed four weeks ago in the police headquarters of the Hyogo prefecture in western Japan, helped homicide inspectors solve a 15-year-old case by matching blurry prints found on a crime-scene newspaper with those of a man arrested in 1968 on suspicion of theft.

That is the type of assistance San Francisco police anticipate.

"They'll probably have to put squads of people on at first, just to make the arrests," said one enthusiastic sergeant.

"The biggest impact will be in residential burglaries and rapes," Moses said.

Most rapists do not wear gloves and leave fingerprints behind them, he explained.

Police crime lab experts obtain fingerprints from more than half the 17,000 household burglaries committed here each year but often cannot match them.

Using the computer, homicide inspectors would have known within hours of discovering the body of Susan Lawrence and a stranger's fingerprints in her Green Street home late last month that their suspect was David Shaw.

Because he had been arrested in 1981 on rape charges — later dismissed — Shaw's fingerprints would have been automatically filed in the computer. His prints would also have been entered into the computer because he was a registered sex offender, required to report his whereabouts to police.

In the Lawrence murder, Inspector Ron Schneider and Mike Mullane arrested Shaw only after a state fingerprint computer scanned 60 million prints and found a match.

That computer is about eight years old, an aging heap of disk drives unable to compete with the one San Francisco will be getting, a bright white machine the size of seven washing machines and two refrigerators lined up all in row.

Moses says the SFPD's computer will be twice as fast as the one in Sacramento, which scans 630 prints per second.

"It's two times as accurate and will hold three times more data," Moses said.

"We've been waiting for this for a long time," said police Chief Cornelius Murphy. "It's something we've needed."

The automated fingerprint identification system will be fully operational in four months, according to Moses. That's a short spell compared with the lengthy battle the department went through to obtain its computer.

The Board of Supervisors approved purchase of the multimillion-dollar marvel in May 1982, after months of public discussion emphasizing the need for the computer and a month before voters backed a referendum calling for its purchase.

Since then, the department has been embroiled in the bidding process. Three firms, two English and one Japanese, made offers.

The City accepted the \$2.6 million bid from Nippon Electric on Nov. 4, 1982, and set aside an additional \$1 million to convert space for the computer on the first floor of the Hall of Justice.

Thirty data processors working 15 to a shift are busy preparing programs for the machine, according to Moses. As a condition of the sale, all those programmers were unemployed San Franciscans with the necessary skills, he added.

Into the mechanical memory goes just about every fingerprint taken by the department over the last 40 years. Only those belonging to inactive criminals over the age of 60 were purged.

"The computer itself doesn't identify anybody," Moses stressed. "It's a sophisticated filing system."

Reprinted from S.F. Examiner  
November 9, 1983

## A computer to our rescue

IT'S BAD NEWS for local lawbreakers and good news for the rest of us that San Francisco has stepped up its use of high technology in the war against crime. We're referring to the police department's new state-of-the-art computers designed for fingerprint identification and efficient communications.

We have in this space wondered if computer technology can live up to all that's been promised for it, but in this case, we have nothing but enthusiasm for the machines. These computers are proven tools that give police measurable help in preventing crime, aiding victims and identifying suspects.

Until recently, police investigators have been forced to search manually and tediously through huge files of fingerprints, often to no avail.

Now the department is programming a \$2.6 million computer with some 3 million fingerprints taken over the last 40 years. The computer can even search out a match for a small fragment of a print, whereas it used to take at least three complete prints for a match.

One elated inspector told The Examiner that the computer will be especially valuable in identifying residential burglars and rapists. This last is particularly gratifying news, since San Francisco (according to 1980 statistics) has the fifth highest rate of rape for large American cities.

What's more, the police department in September began using its Computer Aid Dispatching system, which has already impressively cut response time from four to two-and-a-half minutes. The police communications division is shooting for an average response time of under two minutes.

The new dispatch system will get the police on the scene faster; the fingerprint computer will help in identifying the malefactors. These are the obvious practical benefits of the new computers. But perhaps just as importantly, these new crime-fighting tools may give a bit of a morale boost to both police officers and the citizens they serve. The demoralizing effect of the high crime rate of the past two decades is well-known; the new police technology may be a small but very welcome step toward combating that destructive attitude.

We can't lay the issue to rest without at least a footnote on Supervisor Wendy Nelder's role in expediting the purchase of the computers. Two years ago, Nelder lit a fire under the Board of Supervisors — which seemed bogged down in discussing the technicalities of the acquisition — by independently starting an initiative drive to put the question to the people of San Francisco. The board finally authorized the required \$6.3 million in May, 1982, just a month before the voters approved the Nelder initiative. Better late than ever.

Reprinted from S.F. Examiner  
November 17, 1983

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## S.F. Cop Killer Is Ruled Sane And Set Free

Robert Warren Thompson, 40, the convicted slayer of a San Francisco police officer, was declared sane by a San Francisco Superior Court jury yesterday and was released from jail.

Thompson was charged with killing motorcycle officer Robert Hooper in February 1978 after Hooper tried to pull him over for speeding.

A former mental patient, Thompson was subsequently found guilty of manslaughter. In the sanity phase of the trial, however, he was found to have been insane at the time of the shooting.

Superior Court Judge Walter Calcagno sent him to the Atascadero State Mental Health Facility.

This week, chief assistant Public Defender Pete Keane argued in civil proceedings that Thompson's progress at Atascadero and at Napa State Hospital had been excellent and that his sanity should be declared restored.

Keane, deliberately avoiding psychiatric testimony, put no doctors on the stand. He called on Thompson to testify on his own behalf and put the defendant's father and sister on the stand to recount events before the shooting.

They testified that Thompson had lost his job, his best friend and roommate had died, he had suffered a paralyzing arm injury, was mixing anti-depressant pills and alcohol and was suicidal at the time he shot Hooper.

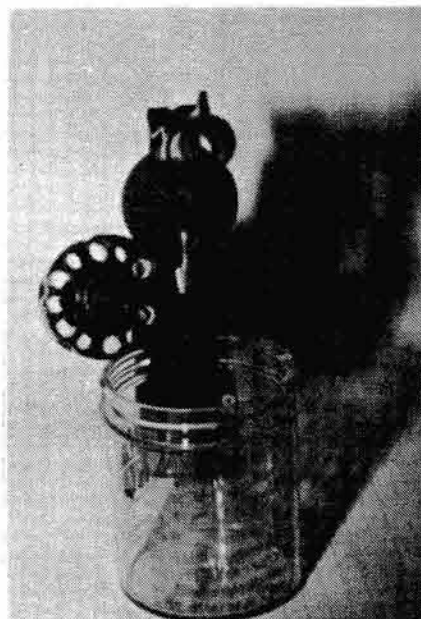
Assistant District Attorney Tom Norman, the original prosecutor in the case, called on Dr. John Erbaugh of Napa State Hospital and a psychiatric social worker, Sarah Isadore, to support his contention that Thompson was still "dangerous."

The jury, which deliberated for several hours following a 2½ day trial in the San Francisco Superior Court of Judge Robert Dossee, voted 11 to 1 yesterday to support Thompson's petition, ruling that his sanity had been restored.

Thompson was ordered freed from San Francisco County Jail, where he had been held during the trial. He was placed in the custody of his father, Robert W. Thompson Sr., who owns a print shop in Santa Rosa.

Reprinted from S.F. Chronicle  
December 23, 1983

## Toy Gun For Real



A cap gun, made in Italy by Edison Giocatoli Spa and sold in a nationwide discount store for approximately \$4, can be converted into a firearm by anyone having a little knowledge of weapons. The gun was recovered from a 15-year-old juvenile by an officer who initially believed it to be a toy.

The juvenile bored out the plugs in the barrel and cylinder, making the weapon capable of firing six .22-caliber LR rounds. There were burn marks on the cylinder to show that it had been fired.

(Submitted by the Lombard, Ill., Police Department)

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# REAL ESTATE INVESTMENT

by Don Schroeder

For those of you who were unable to attend our real estate seminars in September, we're sorry you missed them. Since then, many officers have called us, primarily about how to reduce their income taxes. Since this one point drew the most interest, several officers suggested I write a few articles for upcoming issues of "The Policeman," addressing the basics of investing in

a home or rental property. The tax advantages are just one of the substantial benefits of property ownership. The important thing is to get started.

## Should More Income Mean More Income Tax?

As this year is drawing to a close, many police officers realize that once again they have neglected to take the steps necessary to reduce their tax bill and will probably be paying more than their "fair share" to Uncle Sam. The subject of income tax is so unpleasant that we choose to ignore it most of the year. Unfortunately taxes don't go away; they are always there with us to some degree. So, how can we reduce the tax bite? Most taxpayers spend much more time on ways to produce more income, secondary employment for example, than they do on finding ways to reduce income tax. What good is the extra income if you are not going to be able to keep it? Why not learn a little about the tax deductions available so you will be able to reduce your tax bill and put your tax money to work for you?

### Tax Deductions In Real Estate:

#### Home Ownership and Investment Property

Because the government wants to encourage you to own your own home and to invest in rental property that provides shelter for those who don't invest, many deductions are available to you as a property owner. It is important for you to know these benefits, the incentives for property owners.

When you buy your own home, you deduct the interest portion of your house payment from your taxable income, which is by far the largest part of the monthly payment in the first few years. Imagine, for a change, the government subsidizing your housing and investments, which sure beats renting. Also, when you

sell your residence and buy a more expensive one, you postpone the taxes on the gain if the home is replaced within 24 months. In addition, a once-in-a-lifetime exclusion of gain protects your profits on the eventual sale of a principal residence by an individual aged 55 or older up to \$125,000.

When you buy investment property, the government allows you to deduct a portion of the cost of the buildings in the form of depreciation. There is even an accelerated method of depreciation available, used primarily for residential properties, that allows a greater deduction in the early years of ownership. When the investor sells a property held for more than one year, the gain on the sale is taxed, not at ordinary income rates, at the much more favorable capital gains rate. Under certain circumstances this taxable gain can be postponed by the use of an exchange. Instead of selling the property, you can exchange the property for another of equal or greater value and thereby postpone paying the taxes and protect your working capital.

### The Importance Of Tax Planning

Planning in advance will eliminate the need of scrambling around at the end of the year for tax deductions. Now is the time to be planning for 1984. It is also an excellent time to buy property as the market is slower at this time of year and sellers tend to be more flexible on their price. A property that closes escrow in January will give you a full year's depreciation, allowing you to keep more of your hard earned income.

Because of the limitations of time and space, I have just touched on the highlights of this subject. I urge you to consult your tax advisor and learn what deductions are available to you. Also, feel free to call me at Key West Associates, (415) 221-2144, with any questions or for help in locating a real estate investment that would substantially reduce your taxes and provide good profit potential. Put your tax dollars to work for you.

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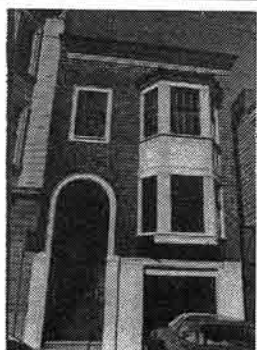
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## IRS: DISABILITY PENSIONS

continued from page 4

runs a significant risk of an audit and an embarrassing situation in attempting to explain why significant monies were not accounted for on the 1040 return. Additionally, the Internal Revenue Service can levy a 10% penalty for failure to report the monies received from the Retirement System of the City and County on line 17a.

For the police officer or firefighter who receive the industrial disability retirement after being eligible for a service retirement or who received it before being eligible but who becomes eligible for a service retirement, the reporting can be complicated. It requires consideration of the facts that:

- (1) The total amount previously paid into the Retirement System by the police officer or firefighter will not be returned within three (3) years and therefore on actuarial basis;
- (2) The permanent disability award fixing a rating;
- (3) The percentage by which the service retirement exceeds the industrial retirement.

All three (3) factors are used to determine the taxable amount, if any, of an industrial disability retirement.

### AUDIT OF PRIOR YEARS

In my experience in working on these matters, I have found that approximately 15-25% of the amount received pursuant to an industrial disability retirement, after reaching the age of service retirement, is taxable and the remaining amount is excludable from gross income.

Members wishing advice on this are urged to contact the welfare officer on an individual basis in that this matter is complex and not readily given to addressing outside of a specific context. The general rule however remains at section 104 (a) (1) does not apply to a retirement pension to the extent that it is determined by reference to an employee's age or length of service even though the employee's retirement is occasioned by an occupational injury or sickness.

### NEW TAX WITHHOLDING LAWS

Beginning on January 1, 1983 and for all years thereafter the Retirement System is required, by federal law, to withhold a portion of your benefits (retirement benefits) for federal income tax purposes, unless the Retirement System believes that all or a portion of the amount paid are not taxable or unless you direct them not to make such withholdings. Since the Retirement System does not distinguish between taxable and non-taxable payments, it will undoubtedly withhold against all payments unless a retired officer or firefighter elects not to have any withholding.

At the time of filing an application for industrial disability retirement, the Retirement System will present the necessary forms to you, for your consideration, in determining the amount to be withheld, if any, from pension monies to be paid.

Police officers and firefighters who receive taxable service pensions and partly taxable disability pensions should weigh the advantages of having tax withheld versus receiving the funds currently and investing them. Police officers and firefighters who are not subject to tax on their disability pensions should probably not have amounts withheld from their pensions. An IRS agent could improperly view withholding on non-taxable amounts as an "admission" by the firefighter or police officer that he or she consider the amounts received to be taxable.

### DISABILITY LEAVE

The Charter of the City and County of San Francisco provides that occupationally injured police officers and firefighters are entitled to a leave of absence with full pay for a period of up to 365 calendar days for any one injury sustained in the line of duty. An Internal Revenue Service's memorandum dated July 28, 1978 and the rulings which were discussed in this article have nothing to do with the taxability of those monies. Since they are in the nature of a workers' compensation award, they are and remain fully excludable and not subject to either federal or state taxation.

### LIGHT DUTY ASSIGNMENT

Revenue ruling 80-137 discusses the following issue: Are payments made by municipality to a disabled police officer performing light duty excludable from

gross income under section 104 of the Internal Revenue Code?

This revenue ruling discusses payments made by a municipality to a disabled police officer who has returned to work, but is assigned to light duty because the injury keeps the officer from performing regular police duties. The Internal Revenue Service, in this ruling, stated that monies received by a police officer assigned to light duty are payment of regular salary made in return for services performed by the police officer and therefore do not fall under the exclusion from gross income provided in section 104 (a) (1). This means that, unfortunately, monies received by officers performing in a light duty capacity are fully taxable.

### FRANCHISE TAX BOARD

The Franchise Tax Board of the State of California treats taxability of monies received pursuant to an industrial disability retirement in the same manner as does the Internal Revenue Service. Revenue and Taxation Code section 17138 is substantially similar 104 of the Internal Revenue Code. Both the federal government and state government are in accord as to the manner in which industrial disability retirement monies are to be taxed. Therefore, any member receiving an inquiry from the Franchise Tax Board concerning the manner in which he or she reported monies received from an industrial disability retirement should use the same procedures contained in this article for reporting monies on form 1040 of the Internal Revenue Service.

Tax monies received for an industrial disability retirement are properly reported to the State of California on form 540 at lines 21a and 21b.

### SURVIVING SPOUSE

Payments made to the spouses of firefighters or police officers who are killed in the line of duty or who, after retirement (for service or industrial disability) died as a result of the industrial injuries, are also entitled to favorable tax treatment for monies received from the Retirement System.

If the police officer or firefighter was killed in the line of duty prior to being eligible for a service retirement, revenue ruling 80-14 holds the benefits paid to the surviving spouse during the spouse's lifetime are completely excludable from gross income under section 104 (a) (1) of the Internal Revenue Code.

The question becomes more complex when the police officer or firefighter who dies, leaving a surviving spouse, has already reached eligibility for a service retirement or has, in fact, retired for either a service or industrial disability retirement. Revenue rulings 72-291 and 80-84, pertaining to beneficiaries of deceased firefighters (also applicable to police officers), hold that benefits received by these beneficiaries are excludable from gross income under section 104 (a) (1) of the Internal Revenue Code if the recipient can establish that:

- (a) The benefits are received under the service connected death provision or
- (b) That the benefits are received under the retirement provision and that the employee on account of who's death the benefits are paid was retired under the service connected disability provisions of the Charter at the time of the employee's death.

These holdings appear to indicate that if there is a determination that the death was caused by occupational injury or illness, then payments to the surviving spouse are not subject to taxation.

However, it should be noted that in my experience representing beneficiaries of deceased police officers that the Internal Revenue Service takes a position that they should be treated in the same manner as their deceased spouse for tax purposes. This means that if part of the deceased spouse's retirement monies were being taxed, the Internal Revenue Service asserts its right to tax the same percentage when it is received by the beneficiary.

## REAL ESTATE INVESTMENT

By Don Schroeder

### LEVERAGE AND INFLATION

Why did J. Paul Getty say that all great fortunes were founded on real estate? The answer is *leverage*.

Leverage in the purchase of real estate refers to using a fraction of the purchase price to capture a piece of property. A 20% down payment on a purchase of a property would be considered a 5 to 1 leverage; that is, one part bought five times the amount of the down payment. A 10% down payment would be considered a 10 to 1 leverage. Leverage buying makes it possible for homeowners and investors to purchase property where they may otherwise be unable to purchase if they were required to pay 100% cash for the property.

Because of the stability of real estate, banks will lend most of the purchase money for the acquisition of real estate, and will utilize the value of the real estate to guarantee the borrowed funds.

Buying leveraged real estate can have great profit potential. For example, if you bought a \$100,000.00 property with \$20,000.00 down payment, (a 5 to 1 leverage) and the property value increased to \$110,000.00, the \$10,000.00 increased value would be reflected as a 50% increase in your \$20,000.00 down payment. During times of high inflation, real estate values normally increase corresponding to the inflation rate, and owning leveraged property can produce profits of 100% per annum and better on the initial investment.

Real estate remains one of the few investments which can be purchased using leveraged financing.

Can an investor be over leveraged? Yes, but only if a "negative cash flow" is created from the high leverage; for example 10 to 1, and if they cannot afford the "negative cash flow". Negative cash flow is the difference between the rental income and the total operating expenses, including the loan payment. For example, for a \$200,000.00 purchase the rental income is \$2,000.00 per month and the total operating expenses including loan payment is \$2,400.00 per month; you would have a \$400.00 per month negative cash flow. (After tax deductions this \$400.00 negative cash flow would possibly be eliminated.) If in this same example the investor had put only 10% down payment (\$20,000.00), in order to achieve the greatest return on investment, this being a 10 to 1 leverage; every dollar increase to the gross property value would be reflected 10 times upon the initial investment, for example a 10% increase to the property value (\$20,000.00) would be a 100% return on the initial investment. To have eliminated the negative cash flow the initial investment would had to have been approximately 30% or \$60,000.00. With a \$60,000.00 initial investment where the gross value of the property increased 10% (\$20,000.00) the return on the invested money would only have been 33% instead of 100%. Therefore, the way that I consider negative cash flow is to define it as "downpayment which I was able to postpone". Also remember you can deduct the negative cashflow from your income taxes, but you cannot deduct downpayment from your income taxes.

My rule of thumb: For your future financial success and for the greatest return on your investment, buy as much property as you can with the least amount of money, as long as the negative cash flow is affordable.

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## Ill-Chosen Investigators Of Civilian Complaints

To the Editor:

Though it is admirable that you sustain your call for changes in the New York City Police Department's Civilian Complaint Review Board (editorial Nov. 30), the reforms you and other critics of the board advocate skirt the heart of the problem.

The Civilian Complaint Review Board's investigators are career police officers who have been assigned from street patrol or other traditional police duties. Instead of collaring crooks, these officers are told to investigate their brethren.

Within the department, duty as a board investigator is not thought of as desirable or prestigious. Thus, it is quite often that the quality and completeness of these investigations suffer as a result of the low morale of the investigators and their understandable sympathy for their targets.

What is needed more than a civilian board is civilian investigators. Police should not be investigating themselves. Were the investigations of civilian complaints unbiased and assiduous, the integrity of the board's conclusions would be substantially enhanced.

RICHARD EMERY  
Staff Attorney, New York  
Civil Liberties Union  
New York, Nov. 30, 1983

## The Police Officer as Victim of Brutality

To the Editor:

There has been much publicity recently about alleged brutality of New York City police officers. In focusing on the many claims of brutality on the part of the police, the Congressional hearings and newspaper articles have largely ignored the cases in which members of the police force become the targets of assault by the "victims," who then sue both the police officers and the city for violation of their civil rights.

The police officers, who have often suffered both physical and psychological injury, are then forced to defend themselves in Federal lawsuits against charges of "excessive force."

Just such a lawsuit ended recently after a trial in U.S. District Court in Brooklyn. In a decision dismissing the plaintiff's claims of excessive force and brutality, the court awarded the police officer \$50,000 for injuries inflicted by the plaintiff. The court found that the police officer, a woman, had justifiably shot the plaintiff after he had beaten her viciously during a confrontation.

This victory did not come cheaply. The case was commenced in 1979. Over a period of four years, numerous pretrial motions were made, expert witnesses hired and investigations conducted.

At one time or another, the case was supervised by four different judges. (One of these judges excused himself from the case because he felt the claim against the police officer was so frivolous that he could not be

impartial; nevertheless, he did not dismiss the claim.)

The city expended thousands of taxpayer dollars in defense against this meritless charge; the emotional cost to the defendant police officer is incalculable. Moreover, the victory ultimately obtained by her is only a moral one: the plaintiff is indigent, so the \$50,000 judgment cannot be collected.

While there undoubtedly are legitimate civil rights actions brought against the city and its police officers, this case demonstrates the fact that anyone angry at a police officer can fabricate a story, sue the officer, keep the litigation going for years and thus "get even" with the police and the city, with the taxpayer footing the bill.

Even should the police officers win at trial, they and the public are the only real losers.

Reprinted from *The New York Times*  
Saturday, December 10, 1983  
Submitted by Al Casciato

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November 11, 1983

## Special Board of Directors Meeting

The meeting was called to order with the pledge of allegiance at 10:13 a.m. Present were Lum, Linehan, Dempsey, Parenti, Novello, Connolly, Maloney, T. Collins, Doherty, McAlister, Ballentine, Hebel, Dito, Huegle, Schmidt, Chignell, Casciato and Flippin. Excused were Keys and D. Collins. Absent was Rapagnani and McKee.

The purpose of the meeting was to discuss pending Q-60 Lieutenant litigation. President Casciato indicated that letters demanding meet and confer on the issue had been sent out and rejected. Public Advocates are not objecting to the proposed Q-60 temporary appointment criteria. The Federal Government is taking no position. Representatives from the Sergeants Committee for a Valid Lieutenants Examination were present at the meeting and indicated that they were also opposed to the appointments.

A lengthy discussion then ensued pertaining to the appointments and proposed alternative criteria. Attorney Saltsman advised members that the city's position at this point is that they do not have to meet and confer with the P.O.A. prior to making the appointments. It was subsequently M/Parenti S/Schmidt that we stop any temporary appointment process utilizing whatever methods the attorneys, in conjunction with the Board, deem necessary pending a full court hearing in the Q-60 litigation. After discussion on the motion, it was withdrawn. It was then moved by Hebel S/Parenti that the Board direct the Federal Litigation Committee to not pursue federal court action regarding the proposed Q-60 appointments pending further direction from the Board or upon exhaustion of all state remedies up to and including the State Supreme Court. The motion passes. Voting yes were Lum, Linehan, Dempsey, Parenti, Novello, Connolly, Maloney, T. Collins, Doherty, McAlister, Hebel, Huegle, Schmidt, Casciato and Flippin. Voting no was Chignell.

The meeting was then adjourned at 12:05 p.m.

Respectfully submitted,  
Gerald J. Schmidt  
Secretary

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November 15, 1983

## Board of Directors Meeting

The meeting was called to order at 3:13 p.m. with the pledge of allegiance. Present were Linehan, Keys, Dempsey, Parenti, Novello, Connolly, Maloney, T. Collins, Doherty, Rapagnani, Ballentine, Hebel, Dito, Huegle, Schmidt, D. Collins, Chignell, Casciato and Flippin. Excused were McAlister and McKee. Absent was Lum.

The first item discussed pertained to the pending decision regarding the prosecution of Dan White. At the suggestion of President Casciato, it was M/T. Collins S/Maloney to rent video equipment for the purpose of filming potential demonstrations on Thursday, November 17, 1983 regarding the Dan White decision. The motion was carried on a vote. It was then M/Linehan, S/Maloney to authorize contracting with a still photographer to cover any demonstrations. After a brief discussion the motion was withdrawn.

**Vice President's Report:** Brother Chignell advised the Board of a successful Office of Citizen's Complaint (O.C.C.) seminar held on Saturday, November 12, 1983 wherein the concept of a questionnaire to be filled out by members appearing either at Internal Affairs, O.C.C. or during other administrative investigations was developed.

He also conveyed to the Board Novato Fire Board member Terry Wallace's gratitude for its support in his recent successful re-election bid.

**Treasurer's Report:** It was M/Ballentine, S/Chignell to approve the report as submitted by Treasurer Duane Collins. The motion carried on a voice vote.

### COMMITTEE REPORTS

A lengthy discussion then ensued regarding Proposition "I" which failed to pass at the November 8, 1983 election. Discussions also took place pertaining to the upcoming elections in June and November of 1984.

Brother Jack Ballentine then gave a Federal Litigation report pertaining to the Q-60 Lieutenant's Examination.

Brother Hebel then gave a Health Services Committee report wherein he discussed pending significant litigation regarding the Pasadena charter amendment pertaining to retirement benefits. He also indicated that in the next three months several cases would be brought before the Retirement Board having been sent there by the Police Commission.

Brother Hebel also informed the Board of a Public Sector Pension Plan Seminar which is to be conducted January 26, 27 and 28th in Sacramento. He strongly advised representation at the seminar of interested Board members. It was then M/Rapagnani, S/Flippin to fund participation at the seminar of interested Board members including a \$65.00 registration fee, hotel accommodations and travel expense. Brothers Hebel, Linehan, Maloney, D. Collins and Schmidt indicated an interest in attending. The motion passed unanimously on a voice vote.

It was then moved by Linehan S/Hebel to have Brother Chignell fill the recent vacancy on the Publication Committee. The motion passed unanimously on a voice vote.

### OLD BUSINESS

International Union of Police Association (IUPA) reaffiliation was then discussed. It was then M/Chignell, S/Maloney to include in the January 1984 Board of Directors election ballot the question of IUPA reaffiliation and furthermore that a pro and con argument appear on the ballot and furthermore that pro and con articles appear in the POA newspaper. The motion passed. Voting yes: Linehan, Keys, Maloney, T. Collins, Doherty, Rapagnani, Ballentine, Hebel, Dito, Huegle, Schmidt, D. Collins, Chignell, Casciato and Flippin. Voting no: Dempsey, Parenti, Novell and Connolly.

A lengthy discussion then ensued pertaining to a recently negotiated office staff contract. There were no motions made.

### SPECIAL ITEMS

Without objection the Board then moved to special items. It was then M/Schmidt, S/Chignell to purchase two tickets to a function to be held on Friday, December 2, 1983 in behalf of State Senator John Foran. The price of the tickets was \$20.00 a piece. A brief discussion then ensued pertaining to Senator Foran's relative support of POA issues. The motion passed unanimously on a voice vote.

### NEW BUSINESS

A brief discussion then took place regarding an upcoming function in behalf of Supervisor John Molinari tickets for which are \$250.00 per person. Supervisor Molinari's strong support for the POA's legislative programs was then discussed, however funding of the purchase of tickets was put over pending proper notification of the membership as per the Constitution and By-Laws.

Attendance at an upcoming Judge's Dinner to take place during the second week of December was then discussed. Several Board members indicated an interest in attending.

The 1984 Democratic Convention was then discussed and a tentative committee of POA Board members was formulated to maximize POA input.

The meeting was adjourned at 6:02 p.m.

Respectfully submitted,

Gerald J. Schmidt  
Secretary

CLOSED WEDNESDAY



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# Hazardous Materials

December 12, 1983

Cornelius P. Murphy  
Chief of Police  
San Francisco  
Police Department  
Hall of Justice  
850 Bryant Street  
San Francisco, Ca 94103

Dear Chief Murphy,

I am writing this letter in order to eliminate any confusion that may exist about my intentions regarding the San Francisco Police Department, in relation to the Hazardous Materials Permit and Disclosure Ordinance.

To reiterate my telephone conversation with you which took place last Monday, based on our discussion of the previous week, I did recommend an amendment which sought to exclude the SFPD from the provisions of the Ordinance. I had not made the other changes which your letter suggested because I had not received your letter until moments before I called you on the telephone.

During our conversation, I explained the severe time considerations related to the passage of the Ordinance. In summary, it must be passed by December 31st or else State law regulating the section on Underground Storage Tanks will preempt our ability to act in this area. Because I received your comments so late, and because of the strict time limitations involved, I explained that I preferred

to not make the amendments at that time. You then agreed to my suggestion that we should pass the Ordinance "as is," and I agreed to work with the SFPD to try to find a solution to the other two recommendations which you made, specifically (1) limiting the public's access to information concerning the location of explosives; and (2) developing a procedure by which the SFPD will be notified and involved in making policy statements regarding explosives and other chemical irritants.

As I explained, I feel certain that it will be at least six months before the Ordinance is operable. During this time, there are a few other clean-up type changes that may have to be made, as well as a companion Appropriation Ordinance that will have to be passed by the Board. I look forward to working with whomever you wish to assign to be your representative on my Hazardous Materials Task Force. I will be setting up a meeting for early January, and would appreciate receiving the name, address and telephone number for the appropriate person.

I am very pleased that we were able to come to an agreement regarding the Ordinance so quickly. I hope that in the future, if you have any comments related to me, that you will make them directly, and by so doing, hopefully, we will not end up in a last minute situation as we did this past week.

Yours truly,  
Nancy G. Walker

December 19, 1983

## General Membership Meeting

The meeting was called to order at 2:40 p.m. with the pledge of allegiance.

A roll count indicated a lack of quorum present. (23 members) It should be noted that 30 members present are required for a quorum at a General Membership Meeting. At the request of President Casciato, attorney Ralph Saltsman advised that any actions taken at the meeting would be legal under the provisions of the Constitution and By-Laws with the proviso that no members objected. Given the necessity of conducting nominations for the January 1984 Board of Directors Election, a decision was made at that point to continue with the meeting.

It was then M/Hebel S/Keys to open nominations. The motion carried unanimously on a voice vote.

Nominations for Central Station were then opened. The following members were placed in nomination: Nelson Lum, Donald Hensic and Robert Barry. There being no further candidates, nominations were then closed.

Nominations for Southern Station were then opened. The following members were placed in nomination: Dan Linehan and Jim Strange. There being no further candidates, nominations were then closed.

Nominations for Potrero were then opened. Mike Keys was the only member placed in nomination therefore nominations were closed.

Nominations for Mission Station were then opened. Mike Dempsey was the only member placed in nomination therefore nominations were closed.

Nominations for Northern Station were then opened. Ron Parenti was the only member placed in nomination therefore nominations were closed.

Nominations for Park Station were then opened. Tony Novello was the only member placed in nomination therefore nominations were closed.

Nominations for Richmond Station were then opened. Jill Connolly was the only member placed in nomination therefore nominations were closed.

Nominations for Ingleside Station were then opened. The following members were placed in nomination: Peter Maloney and James Murphy. Nominations were then closed.

Nominations for Taraval Station were then opened. Terry Collins was the only member placed in nomination therefore nominations were closed.

Nominations were then opened for Co. K. The following members were nominated: Jerry Doherty and Ben McAlister. (It should be noted that Co. K has two representatives.) Nominations were then closed.

Nominations were then opened for the Tactical Division. The following members were placed in nomination: Ren0 Rapagnani and Dale Allen. Nominations were then closed.

Nominations were then opened for Headquarters Company. The following members were placed in nomination: Mike Hebel, Roy Sullivan, Don Carlson and Walter Scott. Nominations were then closed.

Nominations for the Inspectors Bureau were then opened. The following members were placed in nomination: Phil Dit0, Joe Toomey, Mike Nevin, John Willett, Greg Winters had Alex Fagen. (It should be noted that the Inspectors Bureau has two representatives.) Nominations were then closed.

Nominations for a Retired Representative were then opened. Brother Robert McKee was the only person nominated. Nominations were then closed.

Nominations were then opened for the Muni Company. Tom Flippen was the only member nominated. Nominations were then closed.

The meeting was then adjourned at 2:50 p.m.

Respectfully submitted,  
Gerald J. Schmidt  
Secretary

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### Rules of Retirement Board

Mr. Paul F. Denning,  
President,  
Retirement Board  
City & County of  
San Francisco  
770 Golden Gate Ave.,  
Suite #260  
San Francisco, CA 94102

Re: Amendment to Rules  
of Retirement Board

Dear Mr. Denning:

The Rules of the Retirement Board at section 6.06 (a) provide that if the applicant fails to bring his/her application to hearing within six (6) months after it is filed, it may be dismissed. No such provision requires the Retirement System to timely process applications.

The Board of Directors of this Association has received numerous complaints from members that their applications (disability retirement, determinations) are not being calendared in a timely manner at the Retirement Board. It is becoming increasingly difficult for an applicant to

year from filing of the application.

We are cognizant of the staff shortages/turn-over within the Retirement System. We offer our full cooperation to assist, to whatever extend possible, with this problem.

After a full discussion of this issue at our Board of Directors meeting of December 19, 1983 the following resolution unanimously passed:

"Request the Retirement Board to amend rule 6.06 to require the Retirement System staff to use due diligence and their best efforts to cause applications to be calendared no later than three (3) months after the applicant or his/her representative have filed the required declaration of readiness to proceed. Failure to so cause an application to be calendared shall deem it granted."

Thank you for your continuing assistance and cooperation in this and other matters of mutual concern.

Sincerely,  
Croce a. Casciato  
President

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# CITY ATTORNEY'S OPINION

December 14, 1983  
OPINION NO. 83 - 70

## REQUESTED BY:

John L. Taylor  
Clerk, Board of Supervisors

## PREPARED BY:

Burk E. Delventhal  
Deputy City Attorney

Judith L. Teichman  
Deputy City Attorney

## SUBJECT:

Authority of the Controller of the City and County of San Francisco to Pay To Employees Interest Earned by the City Through Investment of Wages Owed to Employees Between the Close of a Pay Period and the Date on which Pay Checks Are Made Available to Employees.

## QUESTION PRESENTED

May or must the Controller of the City and County of San Francisco pay to employees interest generated on investment by the City of wages due to employees between the close of a pay period and the time the wages are paid to employees?

## ANSWER

No.

## ANALYSIS

On behalf of Supervisor John Molinari you have asked whether the Controller "may or must...pay to employees interest earned on salaries" between the close of a pay period and the date the pay check is made available to the employee. As will be explained more fully below, the Controller has no authority to pay employees interest which might be earned on investment of monies held to pay salaries prior to receipt by the employee thus the Controller is neither required nor permitted to pay employees interest earned on salaries.

The City has long labored under an antiquated manual timeroll system with different pay days for employees ranging from the first day after the close of the pay period to the tenth day after the close of the pay period depending upon the status of the employee (i.e., permanent, temporary, etc.) and on the department involved. This system is inefficient, costly to operate, and incapable of generating for the City and its employees the type of information normally available to employers and their personnel regarding the number of employees, the yearly compensation to-date, sick time to which an employee is entitled, vacation benefits, etc.

For the purpose of remedying these defects arises. In order to provide the City with a rational, modern payroll system, the Controller, acting pursuant to the authority set down in Section 18.9 of the San Francisco Administrative Code, has undertaken to implement a unified payroll system with all employees being paid on one day, the seventh day after the close of the pay period.

This is the context which the question arises. In order to understand our response, some additional background material is useful.

Payment of salaries is contemplated in San Francisco Charter Section 8.400. Section 8.400(a) grants to the Board of Supervisors authority to set salaries and wages for City employees. Subsection 8.400(b) provides, in pertinent part:

"The board of supervisors shall have power by ordinance to provide the periods when salaries and wages earned shall be paid provided, that until such ordinance becomes effective, all wages and salaries shall be paid semi-monthly."

Prior to payment of wages, several procedures must be followed. Section 8.400 provides that "[a]ll personal services shall be paid by warrants on the basis of a claim, bill, timeroll or payroll approved by the head of the department..." (8.400 (c)), and that "[t]he secretary of the civil service commission shall verify that all those names appear on the payrolls have been legally appointed to or employed in positions legally established under this charter" (8.400(d)). Charter Section 6.303 reaffirms the basic rule that the Controller shall

verify the legality of all warrants drawn on the City treasury for payment to employees for services rendered to the City.

Pursuant to the foregoing charter powers, the Board of Supervisors has adopted Section 18.9 of the San Francisco Administrative Code. That section provides in relevant part:

"Bi-Weekly Pay Periods. Pursuant to the provisions of Section 6.303 of the Charter, all salaries and wages earned by employees of the City and County and non-certificated employees of the San Francisco Unified School District shall be payable bi-weekly in accordance with regulations established by the Controller." [Emphasis added.]

Neither the Charter nor the Administrative Code specifies when an employee shall be paid except that salaries shall be payable, "...bi-weekly and in accordance with regulations established by the Controller."

Neither the Charter nor the Administrative Code vests in employees a right to receive their paychecks within any specific time following the close of the pay period. In view of the departmental and Civil Service approvals of timerolls, and the Controller's ultimate power of review, an employee can only demand that payment be made within a reasonable period that takes into account the aforementioned verification processes. Responsibility for establishing the date on which employees will receive their paychecks rests in the discretion of the Controller.

In California the rule is there must be an expressed statutory provision to create governmental liability for interest. Absent such statutory authorization there is no legal obligation for the City to pay interest. *Ball v. County of Los Angeles* (1978) 82 Cal.Appr.3d 312, 147 Cal.Rptr. 252, cert.den. 439 U.S. 1116, 99 S.Ct. 1021, 59 L.Ed.2d 75; *Columbia Savings Bank v. Los Angeles County*, (1902) 137 Cal. 467, 70 P. 308; *Savings and Loan Society v. San Francisco*, (1901) 131 Cal. 356, 63 P. 665; *Wells Fargo v. San Francisco*, (1944) 25 Cal.2d. 37, 152 P.2d 625.

In *Ball v. County of Los Angeles*, supra, the plaintiff had paid property taxes on property which was exempt from taxation. The plaintiff filed a claim with the County for refund of the taxes she had paid on property for the last three years. The County promptly refunded the money to her, but no interest was included in the refund payment. The plaintiff sued, stating she was entitled to recover interest on the refund. The court stated at 82 Cal. App. 3d, at 316-317:

"It is well established that there is no right to interest as payment for the use of money unless the right has been created by statute or by an express or implied contract....California has adopted the rule which requires a specific statutory provision to create governmental liability for interest. "Whatever the law may be elsewhere it has always been the rule in California that there is no implied contract of any kind that the state will pay interest on its indebtedness for it is liable only when made so by statute" [cites omitted]. Therefore the County is liable to Ball for interest for the use of her money only if there is a specific statute authorizing the payment of interest on her refund."

The only conceivable source for statutory authority to pay interest on wages is Section 3287 of the Civil Code which provides that one "...who is entitled to recover damages...is entitled also to recover interest thereon...."

If it could be established that the Controller abused his discretion by establishing an unduly long period between the ending date of the pay period and the date on which a pay check is made available to employees, and that employees suffered damages as a result of the delay, there might be some basis for concluding that employees have a right to recover damages for the delay and hence interest. However, the Controller has supplied the Board of Supervisors with data indicating that the practice of making pay warrants available to employees seven days after the close of the pay period is within the range of practices of large public and private employers in California. In view of this information, it does not appear that the Controller has abused his discretion in establishing a seven day lapse between the

end of a pay period and the date the pay check is made available to employees and there is simply no basis for concluding that employees are entitled to "damages" because of the time lapse.

Since employees are not legally entitled to interest, the Controller is not authorized by law to draw a warrant to pay interest to employees. The Controller's payment of such would constitute an impermissible payment of City funds without authority of law in violation of Section 6.303 of the San Francisco Charter, because there is no appropriation for such payment and because the law does not create a right to such payment. See *Molineux v. State* (1895) [109 Cal.378, 42 P.34, holding that payment of interest of interest without authority of law violates the constitutional prohibition against the states making a gift of public property.]. Accord *Ball v. County of Los Angeles* (1978) supra.

In conclusion, absent specific legislative authorization to do so, the City Controller may not legally pay interest earned on wages due but not yet delivered to employees under the circumstances addressed in this opinion.

You are so advised.

Respectfully submitted,  
GEORGE AGNOST  
City Attorney

Burk E. Delventhal  
Deputy City Attorney

Judith L. Teichman  
Deputy City Attorney

APPROVED:  
GEORGE AGNOST  
City Attorney

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# SFPD WILDERNESS ADVENTURE

## It's Worth it

by Rick Bruce  
Mission Station

For the department, for the community, for the officers involved, the **Adventure Youth Program** is worth it. I have made this statement more times than I care to remember during the past few years, but I still find myself struggling to convince one group of detractors of the program's value — police officers. Many police officers are cynical by nature, especially towards anything that smacks of a social program. This cynicism however is understandable, considering that police officers must bear daily witness to the failings of all too many 'social programs'. But the Adventure Youth Program is different because it **INVOLVES** police officers. It provides a much needed link between two somewhat polarized segments of society — the police, and the community's youth. I have heard many police officers express the opinion that it is the parents and the schools that are responsible for making 'good citizens' out of today's youth. I believe that we, as police officers, share in that responsibility. No modern police department can operate in a vacuum. Since police officers are forced to deal with 'the next generation' whenever they run afoul of the law, shouldn't they also have some input into those same individuals before the fact?

What I have seen the Adventure Program do, for officers that become involved in it, is to buy back some of their idealism. I personally don't know of any officers who entered the profession with as much cynicism and frustration as they express as veterans. After spending years dealing with an inept court system, a one sided press, and a hostile public, it is understandable that officers become somewhat disenchanted about their role. But inherent in all police officers is an intense desire to help people. The old, the weak, the feeble. Those that are preyed upon by others. It is easy to see that these people **NEED** the police. Any officer who has ever provided assistance to an elderly person, can see his own importance in the reflection of their eyes. The Adventure Youth Program provides the means by which an officer can assist another needy group — kids. It wasn't until I became involved in the AYP that I realized how little rapport I had with today's youth. But after dealing with numerous kids through the AYP, I found that I had a new perspective on their problems, their concerns, and their motivations. I found that I was better equipped to deal with them 'on the job'. Inner-city youth stand ready to make the decisions that will influence the rest of their lives. A police officer's guiding hand at this important juncture may well steer a troubled youth towards becoming a good citizen. When this happens, a tremendous sense of accomplishment and importance will result for the officer, and it is likely to stay with him for quite a while.

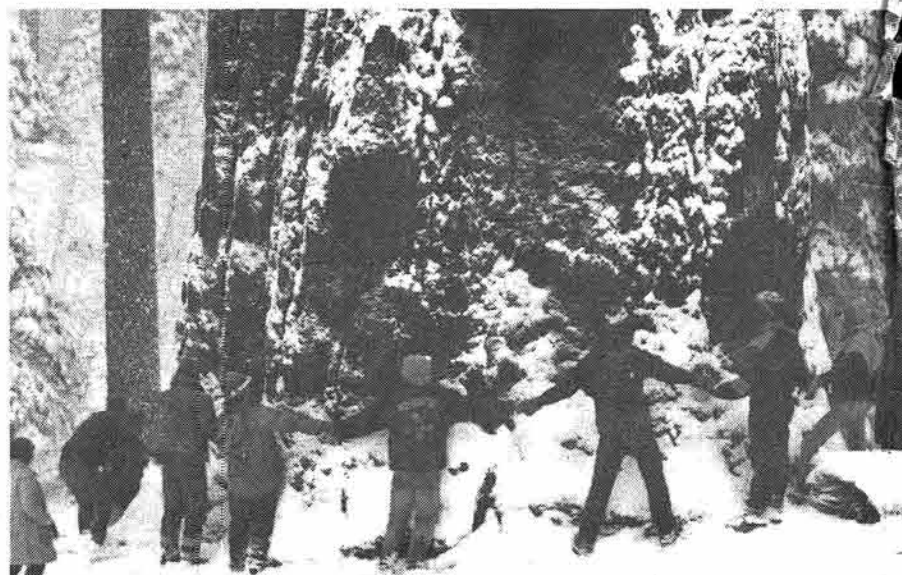
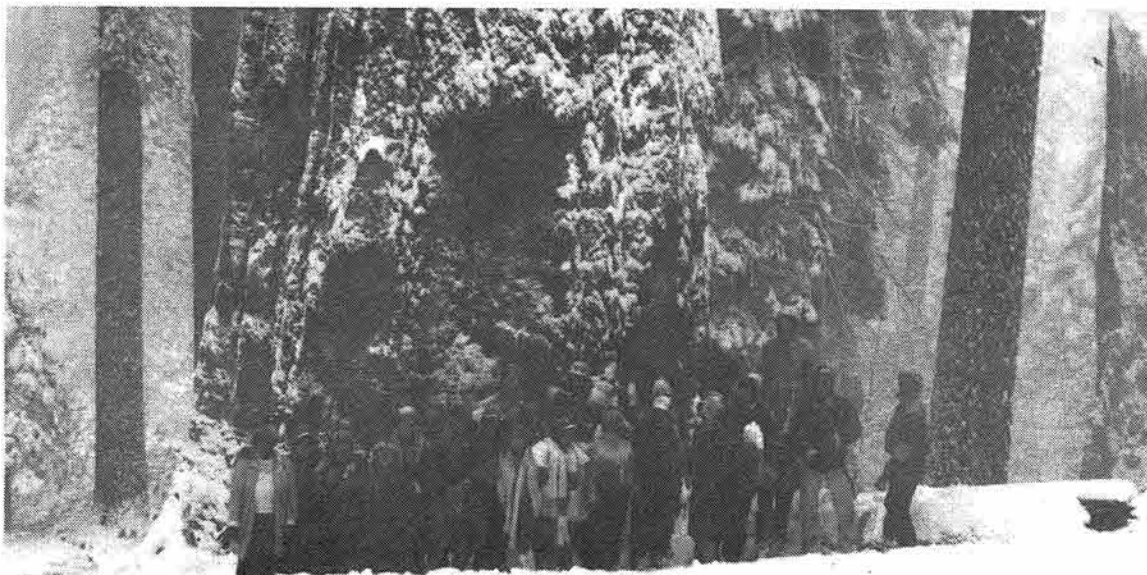


More important than what the Adventure Youth Program can do for officers, is what it can do for kids. Black kids, white kids, orphaned kids, abused kids. Most of the participants in the AYP are inner-city youth. Most of them come from broken homes and low income families. Last Thanksgiving the AYP took approximately fifty kids to Yosemite National Park for a holiday excursion. There were three kids that rode with me from their home to the park, and back again. I spent a good deal of time with those three kids and feel lucky to have experienced Yosemite through their eyes.

The three kids were neighbors, all living on Sumner Alley. Any officer who has ever delivered a drunk to detox, knows that Sumner Alley is the street that runs alongside the rear entrance of it. The kids told me that they sometimes played in the street, but that for the most part they stayed inside of their apartments. They were afraid of all the 'drunk guys'. As we walked along the Mist Trail in Yosemite, they would point things out to me that they had never seen. These included big trees, big rocks, snow, waterfalls and fast moving river water. We concluded that day's hike by taking all of the kids to the main dining room of the Ahwahnee Hotel for sundaes. As anyone who has seen it will tell you, the Ahwahnee is a magnificent structure of wood and stone. The main dining room has a great beamed ceiling, giant picture windows, and elegant appointments. The kids were so awed by the vastness of the place that they sat motionless in their chairs, hands folded neatly

in their laps. They told me that they had been to another nice restaurant once. I questioned them about the place and realized that they were talking about the Hippo Burger back in town. The following day we were treated to a traditional Thanksgiving meal back at the Yosemite Institute. I sat at a table that looked like an advertisement for Walt Disney's 'It's a Small World'. I was surrounded by children from six distinct ethnic backgrounds. They sat down, said grace, ate dinner, and cleaned up — together. After the meal, each kid was provided with a T-shirt that read, S.F.P.D.-THANKSGIVING 1983. My three friends put theirs on right away. They wanted to wear them for the ride home. Later that night I delivered the kids to Sumner Alley. They embraced me warmly and said that they hoped we could see each other again. I have seen one of them since that day. I was pouring a drunk out of the wagon, he was playing a game in the street. He was wearing his S.F.P.D. T-shirt.

It would be an understatement to say that the experiences gained through the Adventure Youth Program, by San Francisco kids, would not be had were it not for such a program. Many of the kids who have been involved in the program have gone on to become P.A.L. Cadets. Many others will tell you that they aspire to one day become San Francisco police officers. I realize that the AYP will only have a lasting effect on a portion of the youth who participate in it. But even then, isn't it still worth it?



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# UTURE YOUTH PROGRAM

## THANKSGIVING AND CHRISTMAS IN YOSEMITE

by Walt Scott & Bill Johnston

What do Al Lum, Carl Tannenbaum, Brenda Walker of Co. A; Tom Feledy of Co. B; Anna Adams, Tim Foley of Co. C; Rich Bruce, Hal Butler, Mitch Lang of Co. D; Bernice Alsobrook, Dave Herrera, John Wyman of Co. E; Doug McConnon, Vince Sheehan of Co. G; Terry Collins of Co. I; Vince Profaca of Co. M; James Bosch of Vice Crimes; Eddie Dare, Luis Duran, Bill Johnston, Walt Scott of Community Relations; Tom Eisenman, Bob Gillaspie, Duane Otis of Juvenile; and almost 200 teenage San Franciscans have in common? They all shared three days and two nights in Yosemite National Park as participants in the SFPD Wilderness Adventure Youth Program Thanksgiving and Christmas events.

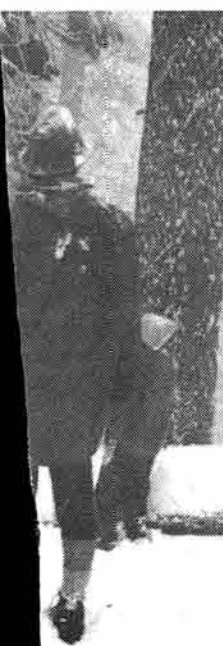
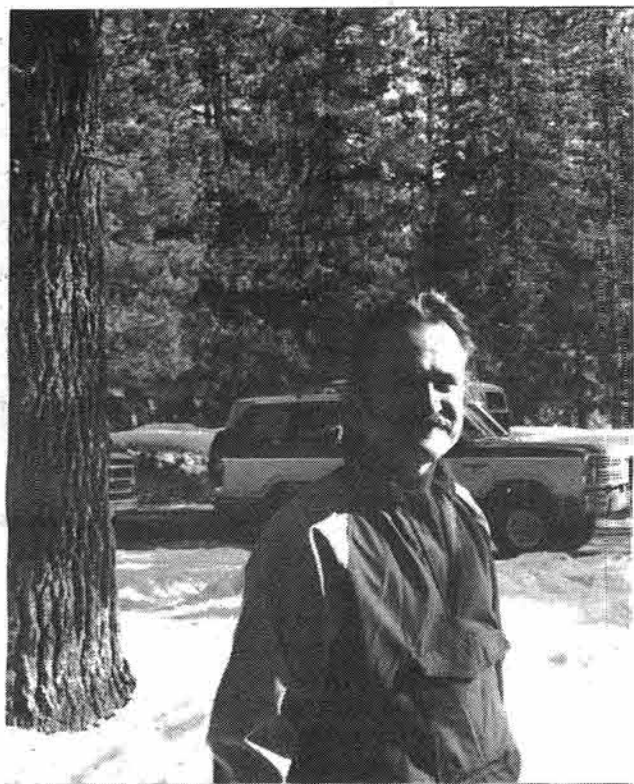
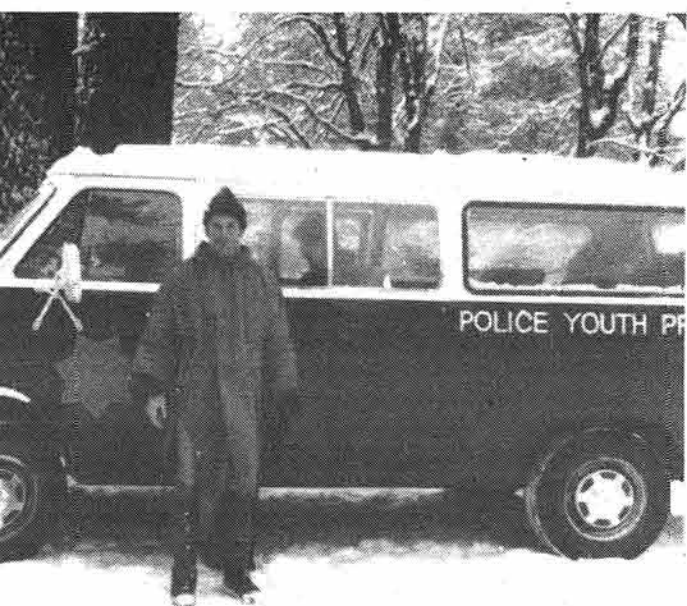
Hiking, cross-country skiing, dancing, tree-trimming, carol-singing, snowball fighting, work parties, feasting, and gift exchanges highlighted these three separate 3-day programs. Officers and students shared play and work enthusiastically. Participants included teens from all neighborhoods and all races including youth with disabilities from the Recreation Center for the Handicapped and refugees from

Southeast Asia, Central America, and Mainland China.

To see the faces of those who had never before seen snow, to enjoy a meal in the beautiful Ahwahnee Hotel dining room with those who had never before eaten in a restaurant, to watch officers and young people of all races and economic backgrounds dancing and playing together harmoniously, and to share the joy and freedom of cross-country skiing with those who had never before been able to afford to go skiing was a joy of a lifetime for everyone involved.

The SFPD Youth Program is an example of harmony and community cooperation which is gaining more and more recognition and appreciation. The San Francisco Police Department, the San Francisco Police Officers' Association, and other generous and dedicated supporters of this program deserve praise for their far-sighted contributions to its creation and continued growth.

The Youth Program complements the excellent work of the PAL and the SFPD Fishing Program, and echoes the past efforts of the SFPD's Camp High Sierra and Police Youth Program (PYP) in demonstrating care for the youth of San Francisco. This type of care is also demonstrated in the SFPD's efforts on behalf of its own officers in the Stress Unit and the Personal Enrichment Program (PEP). In these troubled yet promising times all parts of our society need to use their resources for the common good. the SFPD has these resources, and our positive sharing benefits the entire community.



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### SUPPORT YOUR PRESIDENT

by Jim Higgins, Robbery Detail

Our society forms a great sponge to absorb impressions created by man. The under-the gun reporter or the video "chatter boxes" with concepts of worldly standards that are dictated to by the high echelon press corps. The "sponge" absorbs their philosophy, their quotes, their slants on world matters. In conversation the "sponge" is squeezed; originality becomes a lost art. The news media seeks out the rebellious who are in opposition to basic moral truths on which this country was founded. The eye of the camera films all things, and scissors snip away the good and allow to remain the tragedy and distressed. They become incensed when ignored or held in abeyance, regardless of the safety of the country. Grenada was a fact, and their antagonism is a fact, and their retaliation is a fact.

They search out malcontents — an easy chore — little heads pop up and pop off in critical critique, scratching for recognition. People who tear down this country looking for combinations to win political office, regardless of consequences. The strength of our country comes from the judgement of our leader, and his from the wisdom of god. Our President is such a man who has publicly expounded his belief in the Power of God; as the founders of our country proclaimed so long ago "In God We Trust." Yet man has become confident in his achievements and seeks answers from his own wisdom; equating himself as God on earth; a form of Humanism. May this great nation never fall into the hands of these manipulators whose presence is felt 24 hours of the day. We know that we are all not "sponges", and we thank God for that.

On one last note, a very important one, support your President in prayer. Make no mistake, God lends an ear to prayer and also answers them. Keep in mind also our fuzzy-chinned Marines; they represent you and me; they are the ones whose boots walk in foreign lands.

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## SILENCING THE CHURCH IN AMERICA

by Jim Crowley Homicide Section

Little by little, morality and freedom have started to crumble. It started in government, in education, in the media and it has also shaken our families and our own lives. Fundamental values have changed. Law and government no longer provide a foundation of justice and morality but have become the means of licensing moral perversions of all kinds. Education has become the enemy of religious truth and values. And the media have provided the means for propagating the change. Christians have very gradually become disturbed about permissiveness, pornography, and homosexuality. These things have come about because the whole foundation of society has shifted radically from its original Judeo-Christian basis to a humanistic basis. What is humanism? We need to understand the difference between Humanism, The humanities, and Humanitarianism. Humanitarianism is being kind and helpful to people, treating people humanly. The humanities are the studies of literature, art, music, etc. those things which are the products of human creativity. Humanism is the placing of Man at the center of all things and making him the measure of all things. Christians should certainly be humanitarian and should be interested in the humanities as the product of human creativity, made possible because people are uniquely made in the image of the great Creator. But in contrary to being humanitarian and being interested in the humanities Christians should be inalterably opposed to the false and destructive humanism, which is false to the Bible and equally false to what Man is. The term humanism means Man beginning from himself, with no knowledge except what he himself can discover and no standards outside of himself. In this view Man is the measure of all things, as the Enlightenment expressed it. We in the United States take our form-freedom balance in government for granted as though it were natural. There is form in acknowledging the obligation in society, and there is freedom in acknowledging the rights of the individual. There is balance here which we have come to take as natural in the world. It is not natural in the world. We are foolish if we look at history and read the daily newspapers giving today's history and do not understand that the form-free balance in government which we have is unique.

Think of this great flaming phrase: "Certain inalienable rights." Who gives the rights? The state? Then they were not inalienable because the state can change them and take them away. Where do the rights come from? This country was founded upon the concept that goes back into the Judeo-Christian thinking that there is someone there who gave the inalienable rights. Another phrase also stood here: "In God we trust." With this there is no confusion of what they were talking about. They publicly recognized that law could be king because there was a Law Giver, a Person to give the inalienable rights. Most people do not realize that there was a paid Chaplain in Congress even

before the Revolutionary War ended. And from the very beginning, prayer opened the national Congress. These men truly understood what they were doing. They know they were building on the Supreme Being who was the Creator, the final reality. And they knew that without that foundation everything in the Declaration of Independence and all that followed would be sheer unadulterated nonsense. As soon as the war was over they called the first Thanksgiving Day. Do you realize that the first Thanksgiving Day to thank God in this country was called immediately by the Congress at the end of the war? The only pastor to sign the Declaration of Independence, John Witherspoon (1723-1794), a Presbyterian minister and President of what is now Princeton University was an important man during the founding of the country. Witherspoon's sermon on that day shows their perspective: "A republic once equally poised must either preserve its virtue or lose its liberty." Earlier in a speech Witherspoon had stressed: "He is the best friend of American liberty who is most sincere and active in promoting pure and undefiled religion." And for Witherspoon, and the cultural consensus of that day, that meant Christianity as it had come to them through the Reformation. This concept was the same as William Penn (1644-1718) had expressed earlier: "If we are not governed by God, then we will be ruled by tyrants." This consensus was as natural as breathing in the United States at that time. We must not forget that many of those who came to America from Europe came for religious purposes. As they arrived, most of them established their own individual civil governments based upon the Bible. It is, therefore, totally foreign to the basic nature of America at the time of the writing of the Constitution to argue a separation doctrine that implies a secular state. When the First Amendment was passed it only had two purposes. The first purpose was that there would be no established, national church for the united thirteen states. To say it another way: There would be no "Church of the United States." James Madison (1751-1836) clearly articulated this concept of separation when explaining the First Amendment's protection of religious liberty. He said that the First Amendment to the Constitution was prompted because "the people feared one sect might obtain a preeminence, or two combine together, and establish a religion to which they would compel others to conform. The second purpose of the First Amendment was the very opposite from what is being made of it today. It states expressly that government should not impede or interfere with the free practice of religion. Those were the two purposes of the First Amendment as it was written. As Justice Douglass wrote for the majority of the Supreme Court in the United States v. Ballard case in 1944: The First Amendment has a dual aspect. It not only "forestalls compulsion by law of the acceptance of any creed or the practice of any form of worship" but also "safeguards the free exercise of the chosen form of religion."

Today the separation of Church and state in America is used to silence the church. When Christians speak out on issues, the hue and cry from the humanist state and media is that Christians, and all religions, are prohibited from speaking since there is a separation of church and state. They way the concept is used today is totally reversed from the original intent. It is not rooted in history. The modern concept of separation is an argument for a total separation of religion from the state. The consequence of the acceptance of this doctrine leads to the removal of religion as an influence in civil government.

As Franky Schaeffer V says in the Plan for Action: It has been convenient and expedient for the secular humanist, the materialist, the so-called liberal, the feminist, the genetic engineer, the bureaucrat, the Supreme Court Justice to use this arbitrary division between Church and state as a ready excuse. It is used, as

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### SOME THOUGHTS ABOUT CHRISTMAS

by Jim Crowley  
Homicide Section

The birth of Christ brings the infinite God within reach of finite man.

The fool says in his heart, "There is no God", but wise men still seek Him.

God made His abode with man so that man might make his abode with God.

Unless the Cross overshadows the Cradle, we'll miss the real meaning of Christmas.

"Thanks be unto God for His unspeakable gift".  
2 Corinthians 9:15.

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# SILENCING THE CHURCH IN AMERICA

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an easily identifiable rallying point, to subdue the opinions of that vast body of citizens who represent those with religious convictions.

To have suggested the state separate from religion and religious influence would have amazed the Founding Fathers. Terry Eastland said in *Commentary* magazine: As a matter of historical fact, the Founding Fathers believed that the public interest was served by the promotion of religion. The Northwest Ordinance of 1787, which set aside federal property in the territory for schools and which was passed again by Congress in 1789, is instructive. "Religion, morality, and knowledge being necessary to good government and the happiness of mankind," read the Act, "schools and the means of learning shall forever be encouraged."...

In 1811 the New York State Court upheld an indictment for blasphemous utterances against Christ, and in its ruling, given by Chief Justice Kent, the court said, "We are Christian people, and the morality of the country is deeply grafted upon Christianity." Fifty years later this same court said that "Christianity may be conceded to be the established religion." The Pennsylvania State Court also affirmed the conviction of a man on charges of blasphemy, here against the Holy Scriptures. The Court said: "Christianity, general Christianity is, and always has been, a part of the common law of Pennsylvania...not Christianity founded on any particular religious tenants; nor Christianity with an established church and tithes and spiritual courts; but Christianity with liberty of conscience to all men." The establishment of Christianity was one not only of law but also, and far more importantly, of culture. Christianity supplied the nation with its "system of values" to use the modern phrase.

Sir William Blackstone (1723-1780) was an English jurist who in the 1760's wrote a very famous work called *Commentaries on the Law of England*. By the time the Declaration of Independence was signed, there were probably more copies of his *Commentaries* in America than in Britain. His *Commentaries* shaped the perspective of American law at that time, and when you read them it is very clear exactly upon what that law was based. To William Blackstone there were only two foundations for law, nature, and revelation, and he stated clearly that he was speaking of the "holy scripture."

Joseph Story in his 1829 inaugural address as Dane Professor of Law at Harvard University said, "There never has been a period in which Common Law did not recognize Christianity as laying at its foundation."

Concerning John Adams (1735-1826) Terry Eastland says: ...most people agreed that our Law was rooted, as John Adams had said, in a common moral and religious tradition, one that stretched back to the time Moses went up on Mount Sinai. Similarly almost everyone agreed that our liberties were God-given and should be exercised responsibly. There was a distinction between liberty and license. What we find then as we look back is that the men who founded the United States of America really understood that upon which they were building their concepts of law and concepts of government. And until the takeover of our government and law by this other entity, the materialistic, humanistic, atheistic would view, these things remained the base of government and law.

Our thinking has changed so much in the last two hundred years that we have forgotten our government was founded on the laws of the Bible. Today most Americans seem to believe that separation of Church and State is a hallowed and fundamental principle. Many people assume that the Supreme Court is only doing its job when, as in 1973 in *Roe vs. Wade*, it reaches into the most intimate areas of our lives, our moral values, and acts contrary to the will of the majority of the American people, telling us it is "unconstitutional" to try to save an innocent child's by preventing abortion.

In 1789, the first United States Congress approved funds to send Christian missionaries to the American Indians to convert them and teach them the duties of religion and morality. But in 1967, a U.S. Court of Appeals prohibited a kindergarten teacher from leading her students in the recitation of:

*We thank you for the flowers so sweet,  
We thank you for the food we eat,  
We thank you for the birds that sing,  
We thank you, God, for everything.*

In 1833, Joseph Story, then Chief Justice of the U.S. Supreme Court, wrote concerning the time of the adoption of our Constitution: "The universal sentiment in America was that Christianity ought to receive encouragement from the State."

Yet in 1973, a federal court ruled Bibles could not be given to minors in public schools, and in Tennessee the Attorney General prohibited a high school football team from praying before a game. These shocking contradictions indicate that drastic changes have occurred in the attitude and purpose of the U.S. Judicial System and primarily in the Supreme Court.

How and why has our judicial system changed so radically? Why is it "hostile" toward Christianity and Judeo-Christian values? There are three basic reasons.

1. The origin of law has been switched from God to

man, so now judges make laws rather than apply God's eternal principles to them.

2. Through Christian apathy and the activity of anti-Christian groups, the Judeo-Christian foundation of our government has been covered over and forgotten.

3. Federal court judges and Supreme court justices since the turn of the century have increasingly imposed their own values and morals and those of intolerant minorities upon the people through judicial fiat. They have in essence become an unelected imperial judiciary that makes laws and establishes social policy while insulated from removal. They are appointed for life, and their decisions are reviewed by no-one. A basic problem with any judge is that he is usually a lawyer.

I recall the story of the thinker who asked the mathematician what two plus two was. Unequivocally the mathematician said, "I assure you it is four." When the thinker asked his attorney what two plus two was, the attorney walked around his desk, sat down on the edge of it, leaned forward, and pointedly asked, "What do you want it to be?"

For the last forty years the "law" regarding religion, abortion, punishment, and welfare has been what the federal judges want it to be. Our laws, however, should originate from God, not judges.

God didn't bless America because He's an American. He blessed us because our forefathers acknowledged their dependency on Him and our government and laws were founded on the laws of Nature.

I believe that our culture, society, government, and law are in the condition they are in, not because of a conspiracy, but because the church has forsaken its duty to be the salt and light of the culture. It is the Church's duty (as well as its privilege) to do now what it should have been doing all the time — to use the freedom we do have to be that salt and light of the culture.

We must also realize that the communications media function much like the unelected federal bureaucracy. They are so powerful that they act as if they were the fourth branch of government in the United States. Charles Peters, Editor-in-Chief of *The Washington Monthly*, in his book, *How Washington Really Works*, writes that the media, instead of exposing the "make believe" of the federal government, are "part of the show". Television (and the communications media in general) thus are not only reporting news, but making it. Their ability to change our perception of any event raises serious questions concerning the democratic process. The solution is to limit somehow television's power to use its bias in "the editorial" reporting of events, and most specifically to keep it from shaping the political process.

We must not uncritically accept what we read, and especially what we see on television as objective. This is especially the case when the subject under consideration is one we know to be different from that which their world view normally causes them to champion.

Returning to the subject of abortion: We must understand that the question of the dignity of human life is not something on the periphery of Judeo-Christian thinking, but almost in the center of it. It is because there is a personal — infinite God who has made men and women in His own image that they have a unique dignity of life as human beings. Human life then is filled with dignity, and the state and humanistically oriented law have no right and no authority to take human life arbitrarily in the way that it is being taken. Christians have failed to see that abortion is really a symptom of a much larger problem. As the humanistic world view takes over increasingly in our country, the view concerning the intrinsic value of human life will grow less and less, and the concept of compassion for which the country is in some sense known will be further gone. In the United States we now kill by painful methods one and a half million babies each year by abortion. These deaths are not because of war or starvation but are cold blooded killings. And it is not only the babies who are being killed, it is humanness which the humanist world view is beating to death.

The people in the United States have lived under the Judeo-Christian consensus for so long that now we take it for granted. We seem to forget how completely unique what we have had is a result of the gospel. The gospel indeed is, "accept Christ, the Messiah, as Savior and have your guilt removed on the basis of His death." But the good news includes many resulting blessings.

We have forgotten why we have a high view of life, and why we have a positive balance between form and freedom in government, and the fact that we have such tremendous freedoms without these freedoms leading to chaos. Most of all, we have forgotten that none of these is natural in the world. They are unique, based on the fact that the consensus was the biblical consensus. And these things will be even further lost if this other total view, the materialistic view, takes over more thoroughly. We can be certain that what we so carelessly take for granted will be lost.

What lies ahead of us? What do we need to do? We must understand that there is going to be a battle every step of the way. This battle will have to be fought in several ways and on several fronts: First, we should aggressively support a human life bill or a constitutional amendment protecting unborn children. Second, we should enter the courts seeking to overturn the Supreme Court's abortion decision. Third, legal and political action should be taken against hospitals and abortion clinics that perform abortions.

We as Christians, should not only speak out against such things as abortion, infanticide, and euthanasia of the old — but we must also show that there are Christian alternatives. In a number of places crisis pregnancy centers have been set up. That is a proper alternative.

But the other battle fronts are even more important for we must understand that we are involved in a spiritual battle. We need to be praying for our President, for Congress and for the Supreme Court. We also need to pray for a spirit of unity and intercession in the Body of Christ.

We have seen that the Supreme Court has surpassed its intended functions, and imposes its values on the entire nation, but how many of us pray for the Supreme Court? Millions of dollars and thousands of hours of effort have been spent by religious groups to secure anti-abortion statutes and to return prayer to schools (and all this is right and good). Both of these goals could be accomplished in the next year if one or two of the liberal justices on the Supreme Court were replaced by people who see law as originating from God and whose values are dictated by the Bible. Nine justices sit on the Supreme Court, and on an average, a vacancy occurs every twenty-two months. Pray that when a vacancy arises, a God-fearing person will be ready to fill the gap.

An alternative is to pray that Congress would pass a law restricting the terms of the Supreme Court justices and federal district judges. Legislation that would limit a Supreme Court justice to an appointment of, say, twelve years and federal judges to eight would be feasible.

At the same time, we must recognize that the solution is not just with the Supreme Court because the problem is not just with the judicial system. God has throughout history used un-godly agents to discipline His people who have turned from Him to pursue false gods. In the 1950's, the Supreme Court had to come in and correct segregation in the schools because the Church failed to obey the Word of God. The same can be said of other areas. Our elected federal officials represent us, and to a great degree for the past forty years they have waffled on the hard decisions, hoping the Supreme Court would do what they didn't have the courage to do. We must pray that God will move to restore a biblical foundation to our government and our judicial system.

Christians must come together in prayer and intercede for one another. Intercession is such a priority that the Bible says it's what Jesus lives for. "He ever liveth to make intercession." It's going to have to become that way with us — we're going to have to live for intercession. We should no longer let doctrines divide us. Unity has nearly always seemed to be an unattainable goal. Instead of unity we have had division. Hopefully, that division has reached its saturation point.

The Lord Jesus said, "Father, I want them to be one as You and I are One that the world may know you have sent Me." There is a change in attitudes in that individual Christian groups and denominations are beginning to see that by themselves they are incomplete and unable to attain their goals. The divided Church cannot proclaim the kingdom of God effectively because division is denial of the message.

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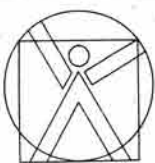
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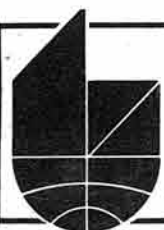
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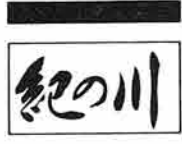
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# LETTERS

## Thanks

November 17, 1983

Dear Friends:

I am aware of the numerous invitations to fundraising events you receive on a regular basis. I also know how difficult it is for you to determine which event will benefit from your financial participation.

I want you to know how appreciative I am that you chose to contribute to me.

The Masquerade was a success because of friends like you.

Thank you.

Sincerely,  
Willie L. Brown, Jr.

November 14, 1983

San Francisco Police Officers' Association  
Local 28 AFL-CIO  
520 Seventh Street  
San Francisco, California 94103

As our National Day of Thanksgiving approaches, we would feel that something had been left undone if we overlooked this opportunity to express our thanks to all of you at San Francisco Police Officers' Association.

We are very grateful for your consideration and support for this local community outreach program in the Outer-Mission and for the disadvantaged and disabled in our care. The financial support you have provided has helped to insure this program's continued survival for which we are most appreciative.

As their special "Thank You," the clients in our program prepared the enclosed "Thanksgiving Greeting" for you.

With sincere thanks,  
Woodson W. Fox  
Chairman of Board

## Thanks

November 16, 1983

To All Local Unions  
In San Francisco

Dear Sisters and Brothers:

I want to take this opportunity to express the appreciation of this Council and the members we represent for your support in defeating Proposition M. Without the efforts of a united labor movement, this victory would not have been ours.

I want to reconfirm the

pledge that I made to many of the unions to work with you and the Planning Commission to insure the development of San Francisco will be done for the betterment of all working people.

I am looking forward to working with you in the future and offer our support at any time you are in need.

Fraternally  
Stanley M. Smith  
Secretary-Treasurer

William H. Becker  
P.O. Box 2871  
Santa Rosa, Calif. 95405  
November 20, 1983

## Thanks

Dear Pete,

Too many times us members of the POA take receiving a copy of the Monthly Policeman paper for granted. You're the man who puts it all together and for that I thank you. Happy Holidays.

Regards,  
Dave Toschi  
Robbery

## Thanks

Your lovely flowers and accompanying message expressed an affection and understanding which we will always cherish. Thank you for all your kindness.

The Fazio Family

## Thanks

December 12, 1983

Editor

Please print this thank you letter in the next edition of the newspaper.

Thanking you in advance for all your help. Have a happy, happy holiday season.

Thanks,  
Mo

## The Blue Light

Chief Cornelius Murphy  
San Francisco Police Department  
850 Bryant Street  
San Francisco, California 94103

Dear Chief Murphy:

The Honolulu Police Department publishes a monthly newsletter called The Blue Light, which is distributed to over 2,000 employees, retirees, and various businesses. If you are interested in receiving a copy of our publication, we would be very happy to include you on our mailing list.

We would also like to request that our Department be added to your newsletter mailing list as follows:

Editor  
The Blue Light  
Honolulu Police Department  
1455 South Beretania Street  
Honolulu, Hawaii 96814

We look forward to hearing from you.

Douglas G. Gibb  
Chief of Police  
By Edwin Ross  
Assistant Chief of Police

## Thanks

To All of Our Friends

My wife, Carol, and I wish to take this opportunity to express our sincere and heartfelt thanks to all our friends who so generously participated in the Pat Pfeifer Golf Day and ticket drive.

As much as we would like, it is impossible to thank all of you individually. We wish to acknowledge our in-

debtedness and appreciation to those who planned, organized, helped and took part in the events. We want to thank you for your generous donation of time and effort that made it such an enormous success.

We both consider ourselves fortunate to have so many wonderful and caring friends. Our prayer of thanks will be with you always.

Pat & Carol  
Pfeifer

## American Legion Honors SF Cops

Dear Paul,

Don't know if this is newsworthy, but as of today, I heard from a Dick McCabe, Chairman of the Law-Order Commission of the Amer. Legion that Bob Peterson of Burglary and I have been nominated to represent SF as Police Officers of the year for our work on the Konig brothers case of Dec. 1982. If we are actually voted in as police officers of the year, we will be notified in June 1984 after the Amer. Legion meets and we will be flown to Knoxville, Tenn. in Sept. 1984 as guests of the Amer. Legion. I'm just honored even to be nominated. We are the 1st SF Policemen to be given framed certificates of honor which we received at a Police Comm. meeting in Sept. this year. The Amer. Legion has never honored our dept. before this year.

Dave Toschi

## Thanks

Editor  
S.F. Policeman  
510 7th St.  
San Francisco, California

11/30/83

Sir,

I would greatly appreciate it if you would publish my letter in the S.F. Policeman.

To whom it may con-

You and Yours.

Thank you  
Respectfully submitted,  
Patrick Cadigan #470

## Thanks

November 29, 1983

San Francisco Police Officers Association  
510 - 7th Street  
San Francisco, CA 94103

Dear Friends,

Thank you so much for your contribution to my "Friends of Louise Renne" fundraiser at Fort Mason on October 20th. The event was a great success.

For your convenience I have enclosed a copy of my most recent newsletter, which will bring you up to date on my activities at City Hall.

Again, thanks so much for your contribution. I very much appreciate your support.

With best regards,  
Louise Renne

982-7137

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# LETTERS

## Background Info

To Paul Chignell

In response to POA request for background info on the OCC investigators for publication in the POA newsletter, following is the info on me. Happy Holidays.

Joan Kubota is a native of Omaha, Nebraska. She is a former Hearing Officer and Rent Counselor for the San Francisco Rent Stabilization and Arbitration Board. Most recently, she was an Affirmative Action Specialist with the San Francisco Department of Public Health where her primary duty was to investigate employee-employer grievances.

She has an infectious sense of humor, only wants to preach to the already converted, reads pulp fiction, and collects fans.

Joan Kubota

## Thanks

The SF Police Officers Association

Greetings:

We haven't forgotten. This note is to let you know that my family and I will always appreciate your support during my political days. May you and yours be blessed with a healthful and joyous New Year.

John Barbagelata

## Thanks

San Francisco Police Officers Assn.  
510 7th St.  
San Francisco, Ca. 94103

Dear Police Officers Assn.

We, the officers and members of ATU Local #1225, wish to express our deep appreciation for the generous donation given us

by your organization.

It is very heartening to all of us to know we have the support of caring individuals such as yourselves. Without such support, we could not hope to succeed in our efforts to obtain fair wages and working conditions.

In addition to wages, there is the more important issue of human rights, which are being denied so ruthlessly to our members. Your concern about this issue is most appreciated and any assistance you may give us in the future will be gratefully accepted and appreciated.

Thankfully yours  
Officers and Members  
Robert Fuzell  
Support Committee  
ATU Local #1225

## O.C.C.

December 7, 1983

Eugene Swann, Director  
Office of Citizen  
Complaints (O.C.C.)  
850 Bryant Street,  
Room 505  
San Francisco,  
California 94103

RE: O.C.C. Investigators  
Biographies

Dear Mr. Swann:

I enjoyed talking with you on Monday night about the biographical information pertaining to O.C.C. investigators.

As we discussed, the purpose of the information is to inform our members; via our monthly publication about the investigators. It is hoped that having done this alot of anxieties will have been eliminated.

I especially appreciate your gesture of volunteering to provide photos of the investigators. That is precisely the kind of rapport which we believe will help to make your difficult transition a much simpler

one.

We look forward to cooperating with you and your staff to the best of our ability.

Sincerely,  
Gerald J. Schmidt  
Secretary, S.F.P.O.A.

## Members Praise POA Assistance

December 5, 1983

San Francisco Police  
Officers Association  
510 - 7th Street  
San Francisco, CA 94103

Dear Membership:

Recently we faced charges that threatened to end our careers as police officers. It was fortunate for us that we were members of an organization that came to our aid and supported us one-hundred percent.

During the arduous hearing it was reassuring for us to see our P.O.A. representatives there lending their assistance. We would like to express a special thank-you to Al Casciato, Bob Barry and Paul Chignell who were always accessible and in the few instances where we had to leave messages for them, they promptly responded.

In addition, we are very appreciate of the fine legal counsel we were provided. The expertise and thoroughness of our attorneys, Steve Bley, John Prentice and Chuck Briar helped alleviate some of our fears an inspired confidence during the long hours of the hearing.

Last, but not least, we would like to say thanks to those of you who by your expressions of concern and encouragement made the last year bearable. You really made the difference.

Sincerely,  
Lou Tercero  
Gene Kallinin  
Will Tercero

## Cops For Christ

Editor's Mail Box  
510-7th Street  
San Francisco, Calif.  
94103

Gentlemen:

As "born-again" believers we look forward to your "cops for Christ" column with its based in scripture remarks.

Despite the distance, we hope to join your group some evening.

William P. Becker, Ret.  
Lieut. S.F.P.D.  
Betty J. Becker

## Request For Clarification

November 30, 1983

Editor's Mail Box  
San Francisco Policeman  
510 7th Street  
San Francisco, CA 94103

Editor:

The statement attributed to me in the November issue of San Francisco Policeman is false.

In my meeting with Inspector Falzon, on the subject of his problems with District Attorney Arlo Smith, I did not say I put no credence in the article written by Sandy Zane of The Chronicle staff. If I had not believed what Sandy wrote we would not have printed the article.

If your source of the false quote was Inspector Falzon, I am surprised and disappointed at his faulty memory. I can only attribute it to his state of anxiety that day.

Sincerely,  
Jerry Burns  
City Editor

## Editor's Note

In a brief phone conversation Mr. Burns clarified his remarks by saying that Arlo Smith's support of the Zane article's contentions gave the article its credibility. The inference

then is a challenge to Mr. Smith's credibility.

## Assemblyman Agnos

Dear Mr. Casciato:

Although I'm out of the country, I learned that Proposition I had failed and wanted to pass along my regrets. Please pass along my congratulations to the members of the association on a well-run campaign, even though we came up a bit short this time.

Sincerely,  
Art Agnos

## Off Duty Security Jobs

December 12, 1983

Mr. Cornelius P. Murphy  
Chief of Police  
850 Bryant Street  
San Francisco, CA 94103

RE: Private Security Services Offered By California Peace Officers

Dear Chief Murphy:

The bureau is in receipt of information to show that peace officers employed by your agency have been or are currently engaging in contracting their personal services as security guards, while in an off-duty status.

Business and Professions Code Section 7522(1) exempts off-duty peace officers from guard registration requirements, provided: (a) they are employed (not contracted) by a private employer; (b) they do not contract their services; or (c) the sheriff, chief of police, or any state agency has determined this activity is not inconsistent with the provisions of Section 1126 of the Government Code.

Section 7522(1) states as follows:

"A peace officer of this state or a political subdivi-

sion thereof while such peace officer is employed by a private employer to engage in off-duty employment in accordance with the provisions of Section 1126 of the Government Code. However, nothing herein shall exempt such peace officer who contracts for his or her services or the services of others as a private investigator or private patrol operator." (emphasis added)

Peace officers employed by private employers as security guards are expected to appear on the employers payroll, and such employers are expected to make the necessary deductions from wages and to be appropriately covered by Unemployment and Disability Insurance.

Business and Professions Code Sections 7520 requires that any person or business engaging in providing private security services must be licensed. There is no exemption which allows off-duty peace officers to start a private security business without a benefit of a private patrol operator license issued by this agency. It must be noted that bodyguard services requires a private patrol operator's license. A private investigator's license does not include bodyguarding.

It is theorized that an off-duty peace officer who provides armed security guard services, in violation of section 7522(1) of the code, may become liable in the event of any firearms usage and that the state or local agency who employs such peace officers may be faced with serious repercussions.

For any further information, please contact me at (916) 739-3152.

Sincerely,  
R.L. Robinson  
Program Manager

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# LETTERS

## Thanks

Police Officers Association  
510 7th Street  
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94103

Dear Sir:

Words could never describe the sense of joy and relief which encompasses me since I was exonerated by the San Francisco Police Commission of charges brought against me by my own Police Department. Even though truth and justice were on my side, it was still a formidable task to present my case and bring it to a victorious conclusion.

Every single police officer member of the Police Officers Association is very fortunate to have an attorney of such outstanding ability available to him or her whenever needed. His stand for Truth and Justice in my case was reminiscent of some of the great trial lawyers of yester years.

It would have been a great travesty of justice if I had been found guilty of any of the charges brought against me, and I'm sure that without Mr. Bley's amazing skill and tenacity the outcome may have been different.

Not one police officer that I know, dons his uniform and star but has the most laudable intention of protecting life and property at the risk of their own life and limbs. Therefore, it is vital that when charges are brought

against innocent members, they be protected by the very best legal defense possible. Mr. Steven Bruce Bley is one of the very best, and we are most fortunate to have him in our camp.

My sincere thanks to out to Mr. Bley and also to the Police Officers Association for having the foresight to hire such a "Champion of Justice."

Here's one for Truth and Justice!

Sincerely,  
Patrick Burke  
Star #2167

## Irish Guardians Of Peace

December 6, 1983

The EDITOR  
The San Francisco  
POLICEMAN

Dear Editor:

To my amazement, nobody wrote to our illustrious newspaper commending Officer Mark Hurley on the outstanding job he performed in welcoming a fine contingent of IRISH GARDASIOCHANA (Guardians of the Peace) to beautiful San Francisco.

Not only was Mark the welcoming committee, but also the transport organizer, host, entertainment co-ordinator and banquet manager. The splendid facilities of the Police Athletic Club were available to these very appreciative visitors, who were staying at the Sheraton-Palace Hotel.

This IRISH GARDA GROUP consisted of patrolmen, Detectives, a Superintendent and an

Assistant Commissioner. All were assigned to Dublin (Capital of Ireland) details, some to police headquarters at Dublin Castle.

These officers came from counties all over Ireland, as officers are not normally allowed to work in the towns in which they grew up.

There are seven thousand police officers stationed in Dublin. They protect a population of approximately 1.3 million residents. The younger members of the visiting group made up both an Irish football and soccer team, which were successful in routing a local Irish team in addition to our own gallant stalwarts — the S.F.P.D. soccer team.

Being "Irish born & raised," (As the expression goes), I was extremely proud of the professional demeanor of every one of

these Irish lads, and I was doubly proud of the fantastic treatment given to our Irish visitors by our very own S.F.P.D. in the person of Mark Hurley and helpers. Our genial host also arranged a much lauded coach tour of the wine country, followed the next evening by the aforementioned banquet.

Attending the great feast were dignitaries too numerous to mention — Chief of Police Murphy, Deputy Chief Ryan (who graciously spoke to the over 300 guests), Chief Cahill (Retired), many Captains, Lieutenants, Sergeants and Patrolmen. In addition to S.F.P.D. personnel, the Consul General of Ireland, Thelma Doran and the mighty man himself, Brendan Maguire, the Sheriff of San Mateo County were also present. Brendan sang a few ballads with a few lads from his own County

Cavan. (I would almost swear that I saw tears in his eyes when that famous County Cavan song, "Come back Paddy Reilly to Bally Jamesduff" was sung.) My own Dear Mother is from County Cavan also.

Speaking of singing, what a splendid performance of very difficult Irish airs was given by Officer Jerry D'Arcy and members of his family. Captain Conroy did a fine job as Master of Ceremonies even though the P.A. system, at times, would not cooperate.

A great time was enjoyed by all. My ears are still ringing with the "dint" of praise showered on me, by the Irish Garda, for the tremendous job done by Mark Hurley in making their stay in "Baghdad By The Bay" their most memorable of any of their previous visits to any City. I was assured

by everyone of the "lads" from the Commissioner down, that whenever a San Francisco Police Officer sets foot in the Emerald Isle, he will receive the "Red Carpet Treatment."

Any of you interested in or planning a trip to Europe, etc., don't forget to put love green Ireland on your itinerary. Also, this is a great time to join our flourishing International Police Officers' Association.

Brendan Maguire and I are going to be the first ones to take the Irish lads up on their gracious offer so Mark, it behooves me, on behalf of the very grateful Garda Siochana of Ireland, and myself, to wish you a very sincere

"Go Raibh Mile Maith Agat,"

(A thousand thanks)

Do Cara,

(Your Friend)

Padraig De Burca  
Patrick D. Burke

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# LETTERS

## Community Services

December 19, 1983

Police Officers' Association Community Service Department  
c/o Bryant Street  
San Francisco, Ca 94103

Dear Friends,

On behalf of our director, Harry Chuck, and the entire staff, I extend grateful thanks for your gift of the beautifully flocked Christmas tree. You certainly picked the right corner for it. It stands so elegantly there, adding so much to the holiday decor.

One of the groups had their Christmas party last night, 3 other parties will be held this week. I'm sure that all 3 groups will be enjoying the tree as much as the group did last night.

Thanks, especially to Eddie Dare, who continually assists us in more ways than one. Thanks to all of you in the Community Relations' Department who help to make all of this possible.

The entire staff joins in, extending to you and yours, a very joyful and blessed Christmas.

Sincerely,  
Jean Lym  
Secretary  
Cameron House

Dear

Community Services:

On behalf of all concerned with Broadcast Services for the Blind, I thank the San Francisco Police Officers Association for their generous contribution of \$500.00 to our organization.

Community support of this kind is most heartening. You can be sure that these funds will be well used in areas of repair and improvement of our equipment and our programming hours.

Thanks again.

Sincerely,  
Lazar Keitelman  
Director  
Broadcast Services  
for the Blind

Dear Chairman Wright:

On behalf of the staff, Board and clients of the Women's Alcoholism Center, I would like to thank you and the POA for your thoughtful contribution to our program.

We hope you will continue to see us as a valuable community service and one which will serve as a useful referral for police officers in San Francisco.

Sincerely,  
Pam Miller  
Administrative Director  
Women's Alcoholism  
Center

Community Service Board  
San Francisco, P.O.A.  
510 7th Street  
San Francisco, CA 94102

Dear Members of the  
San Francisco Police  
Department:

I would like to express my sincere appreciation for the generous contribution you extended through the P.O.A.'s Community Service Fund to Partners for Kids of San Francisco, Inc. As President of the Board for this non-profit, privately funded program that works with troubled youth, I've been proud of the fact that since participating in our program, our youth referred from the juvenile justice system, have not had repeat police contact. As an officer involved with this group, thanks to those who support our community service fund, and have helped Partners for Kids of San Francisco, Inc.

Sincerely thanks,

Rachel Karp  
President of the Board  
Partners for Kids  
of San Francisco, Inc.

Dear Chairman:

On behalf of the Board of Directors of the Northern California Chapter of the Multiple Sclerosis Society, I wish to express our thanks and appreciation for the generous grant of \$250 from the San Francisco Police Officers Association. We greatly appreciate your expression of support for our efforts to provide services for people who are coping with Multiple Sclerosis.

I hope that you and other members of your Board will be able to attend our annual meeting in January, at which time it would be our pleasure to further acknowledge the thoughtfulness of the San Francisco Police Officers Association.

Yours Sincerely,

Robert B. Leet  
President  
National Multiple  
Sclerosis Society

Dear Chairman:

On behalf of the staff and board of Tale Spinners and Feedback Productions, I wish to thank the Police Officers Association for the generous donation of \$500 toward the production of SOMEBODY KNOWING MY NAME. It is only through the concern and generosity of organizations like yours that organizations like ours can continue to reach out to our community, and help make it a better place to live.

Thank you.  
Sincerely,

Jeanne Bogardus  
Administrative Director  
Feedback Productions,  
Inc.

Dear

Community Services

I would just like to thank you for the \$100 for our trip to Southern California. We are all set to go and this donation of yours will help make it a successful trip. I have work with your Police Officers Athletic groups for the last few years and I really think they are great people.

If there is anything that I can do for you please let me know. Again thanks for the help.

Sincerely,

Rick Boyle  
Varsity  
Basketball Coach  
Lincoln High School

Dear

Community Services:

We acknowledge with deepest appreciation your contribution of \$250.00 to the Golden Gate Chapter, American Red Cross. This gift is indeed a most generous one and is a continuation, as well as an extension, of your long history of generosity.

Those helped directly by your gift — the victims of disasters, the troubled on military installations, the people whose lives have been saved through the preventive services provided by Red Cross — are deeply indebted to you for your help.

The officers and directors of this chapter, join me in expressing heartfelt thanks.

Sincerely yours,

Stephen A. Zellerbach  
Chairman  
Public Support  
American Red Cross

November 25, 1983

Sgt. Gale Wright  
President,  
Community Services  
SFPOA

Dear Sgt. Wright:

I would like to express my heartfelt thanks to you and the rest of the Community Services Board for your donation to the United Way Fund.

Again this year you have shown through your generosity, your capacity for caring for people who are less fortunate than ourselves.

The San Francisco Boys Club, Bay Area USO, Salvation Army, Self Help for the Elderly, United Cerebral Palsy, San Francisco Senior Center, San Francisco Hearing and Speech Center, and Cannon Kip Community House will be able to provide their services to the people of San Francisco because you have taken the time to become involved.

Thank you again,  
Officer Maureen D'Amico  
United Way  
Campaign Coordinator

Dear Chairman:

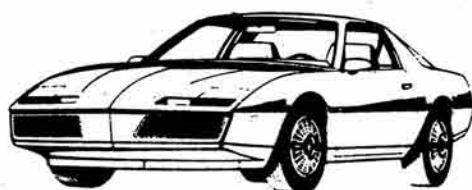
On behalf of the children and families we serve, accept my thanks for your recent contribution to the Family Service Agency of San Francisco.

Our goal is clear: To support and strengthen family life in San Francisco. Your gift will help us achieve that goal.

Sincerely,

Ira Okun  
Executive Director  
Family Service Agency  
of San Francisco

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# TREASURER'S COLUMN

continued from page 2

\$28,000. All the above changes were made by motion of the board. Any questions or comments, don't hesitate to call.

## CASH DISBURSEMENT ACCOUNTS

	Budgeted 1984
701 Accounting	\$10,000
703 Annual Election	2,000
705 Awards & Donations	300
707 Bank Charges	—
709 Board of Directors	1,000
723 Dues Collection	2,500
725 Equipment Purchase	5,000
728 Equipment Rental	900
730 President Expense Account	4,800
740 General Membership Meetings	1,000
744 Insurance & Bonding	5,000
753 Janitorial	2,500
761 Equipment Maintenance	5,000
771 Mailing	6,000
772 Public Relations	10,000
772A Picnic	10,000
773 Rent	14,000
776 Salaries (Office)	50,000
777 Salaries (Executive)	35,000
779 Special Elections	3,000
781 Supplies (Office)	7,000
782 Supplies (Admin.)	1,500
782A Expenses (Admin.)	1,000
783 Tax (Payroll)	17,000
784 Tax (Personal Property)	150
785 Tax (Federal Payroll)	35,000
786 Tax (Federal Penalties)	300
787 Tax (State Payroll)	5,000
789 Tax (Franchise)	10
790 Tax (Unemployment)	300
792 Utilities	12,000
794 Building Maintenance	4,000
795 Employee Benefits	6,000
796 Presidential Ret.	2,000
805 Blood Bank	600
810 Board of Supervisors	200
815 Civil Service	300
825 Grievance	300
830 Health Service & Retirement	18,500
835 Insurance	500
839 Labor Council	—
840 I.U.P.A.	—
842 Installation Dinner	—
845 Legislative	5,000
850 Labor Relations	250
850A Civilian Review (OCC)	—
855 Political Contribution	15,000
858 Legal Services	500
860 Screening	100,000
860A Screening Retainer	24,000
863 Publications	5,000
867 Uniform & Safety	200
870 C.O.P.S.	20,000
872A Life Insurance	15,000
875 Federal Litigation	55,000
880 Stress Program	2,000
883 Overtime	—
885 Variety Show	—
895 Sports	28,000
896 Backpacking	10,000

INCOME

\$559,610

## Peace Officers' Wives' Clubs Affiliated OF CALIFORNIA AND Fraternal Order of Police of California POWCA/ FOP Scholarship 1984

THEME: HOW WOULD YOU IMPROVE  
THE PEACE OFFICER'S IMAGE?

### RULES:

1. The applicant must be a dependent of a Peace Officer, active, retired or deceased, with any department in California.
2. Applicants are restricted to 1984 high school graduates.
3. Applicants must fill out their own application form.
4. Have three recommendations from persons not related to applicant. Each recommendation to be written on separate paper.
5. All essays MUST be typewritten.
6. Each essay must be double-spaced with 1-inch margins and not exceed two pages, not including title page. Your essay and application will be judged on — following the theme; originality style and persuasiveness; recommendations; accuracy of content; grammatical construction; neatness; and completion of application.
7. Incomplete entries will result in DISQUALIFICATION.
8. Your application must be mailed to the POWCA/FOP scholarship representative.
9. For more information, please contact Pat Barsetti 566-5985 or Wanda Manini 566-1872 or Cathy Oberhoffer 344-9225.
10. Applications and essays must be received by April 5, 1984.

### SCHOLARSHIP EXPLANATION:

1. A \$2000.00 scholarship will be awarded and placed in trust at the college of the student's choice.
2. Scholarship may be used for a two or four year college of student's choice or an accredited trade school.
3. The scholarship will be awarded at the student's school awards assembly.

## WIDOWS & ORPHANS

continued from page 2

tion of Secretary of The Widows and Orphans for a number of years, during which time he handled most of the arrangements for the Annual Ball. Tom was 72 at his death.

ROBERT JENKINS — Born in San Francisco in 1903, he became a member of the Department in 1929 at age 25. After a short time in the Radio Cars, Bob was transferred to Co C, working there until he entered the Navy on Military Leave from 1942 to 1945. On his return he was assigned to Central Station walking the Kearny Street beat before working on Special Duty. Transferred to Ingleside in 1953 Bob retired in 1954 on service at age 57. He was 80 at the time of his death.

Visiting Committee reported that membes had been in attendance at all of the above that had been held in the City.

REPORT OF TRUSTEES: Hibernia Bank, Agent-in-Trust for Trustees, represented by Miss Minuth recommended purchase of several stocks also a turnover of Fed. Bonds increasing our return by 3%. All approved by Trustees.

NEW BUSINESS: Pres. Hardeman instructed the Secretary to cast a unanimous ballot for all nominated Officers and Trustees as they were unopposed.

ADJOURNMENT: There being no further business to come before the membership, the meeting was adjourned at 2:35 P.M. in memory of the above departed Brothers.

MEMBERS WERE REMINDED THAT THE NEXT REGULAR MEETING WILL BE WEDNESDAY JANUARY 18, 1984 IN THE TRAFFIC BUREAU ASSEMBLY ROOM, HALL OF JUSTICE AT 2:00 P.M. INSTALLATION OF OFFICERS.

Fraternally,  
Bob McKee,  
Secretary

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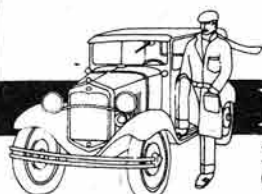
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## State's High Court Eases Car Searches

By William Carlsen

Expanding on recent decisions making it easier for police to conduct auto searches, the California Supreme Court yesterday upheld a 1979 search in which officers had time to secure a search warrant but did not do so.

The 5-to-2 ruling continues a recent trend by the court of reversing previous decisions that have restricted police searches. Those previous decisions contributed significantly to the court's reputation as one of the most liberal state courts in the nation concerning the rights of criminal defendants.

The court ruled yesterday that a broad range of reasons justify warrantless searches of autos. The court previously required that there be emergency circumstances for such searches.

Writing for the majority, Justice Frank Richardson listed as justifications for warrantless searches: "1) the ready mobility of automobiles, 2) the lesser expectation of privacy of their contents, 3) the significant administrative expense, delay and risk of loss of contents entailed in requiring the police either to secure all automobiles at the scene or to tow all suspected vehicles to a securely maintained depot and 4) the need for clear guidelines by which police may guide and regulate their conduct."

Yesterday's case arose in 1979 when police arrived at an abandoned house in Sacramento and discovered an Oldsmobile sedan next to a stolen vehicle that had been

stripped of its parts.

Richard James Valdez and another man were detained as they approached the Oldsmobile. The police searched the sedan and found the stripped parts of the stolen vehicle in the auto's trunk.

Valdez was arrested and charged with auto theft and receiving stolen property. But the trial judge dismissed the charges on the grounds that the police had improperly searched the car because they failed to get a search warrant. The state appealed.

Earlier this year, the state Supreme Court ruled that it was legal for police to search an auto if there was "probable cause" to believe it contained contraband. The doctrine of "exigent" or emergency circumstances previously necessary for warrantless searches was satisfied because of the immediacy of the situation, the court ruled.

The state argued that the same situation applied in the Valdez case. But Valdez's attorney claimed that in his case the auto was not stopped on the highway and that enough officers were present that a warrant could have been sought without risk of losing the evidence.

The court majority, citing its earlier decision and U.S. Supreme Court rulings, said that the search was nonetheless justified and violated no constitutional rights.

Justices Otto Kaus, Allen Broussard and Joseph Grodin concurred. Justice Stanley Mosk wrote a separate concurring opinion.

Chief Justice Rose Bird disagreed with Mosk and stated in her dissent that she did not believe "this state's Constitution permits warrantless automobile searches in the total absence of exigent circumstances." She was joined by Justice Cruz Reynoso.

The decision provides some clue to the direction the court may take when it decides the constitutionality of a crucial section of Proposition 8, the so-called Victim's Bill of Rights, which governs the use of evidence seized in questionable police searches.

The initiative was designed to force California courts to use federal standards, which allow police broader discretion in gathering evidence than the standards set by the state Supreme Court.

Yesterday's decision indicates a majority of the court now leans toward the use of the federal standard.

Reprinted from S.F. Chronicle  
November 18, 1983

## 2 Heroic Cops Tussle for Gun In Crowded Bar

by Bill Wallace

Two San Francisco police officers, investigating a shooting incident in the Mission District, seized the armed suspect in a crowded bar last night and wrestled his loaded pistol away from him without a shot being fired.

"I can still feel the barrel of his gun against my stomach," said Patrolman Larry Ratti, one of the two officers who made the arrest.

"The barrel was actually under my (bulletproof) vest. He tried to pull the trigger and the hammer fell. If my partner hadn't had his thumb in between the hammer and the bullet, I would have been gone."

The suspect, Ibrahin Galan, 20, a Cuban national, was arrested and booked at Mission Station for investigation of attempted murder, possession of narcotics and assault with a deadly weapon.

"I'll tell you, I'm still shaking," Ratti said. "It's going to take me a long while to calm down."

Police said the shooting occurred at Rose's Cocktails at 3078-24th Street at Folsom around 7 p.m.

According to investigators, the victim, Maria Perez, 21, went into a restroom at Rose's with Galan. A shot was heard, and Galan emerged with a small pistol in his hand, threatening other patrons in the bar.

Officers Ratti and Lang, on patrol in the area, were sent to investigate.

When the two officers entered the bar and attempted to take Galan into custody, he tried to fire his weapon at them.

"He was sitting at the bar when we walked in," Ratti said. "He saw us come in the door and he got off his stool and walked to the rear of the room with his hand in his pocket."

"When he got back there, he turned around and raised the gun with his hand still in his pocket. I yelled and ran forward and got hold of his gun and wrestled with him for it, that's when he tried to fire."

Ratti said his partner, Mitch Lang, joined the fray and wrestled with Galan.

"The hammer came down on the round, but didn't hit it hard enough to fire it," Ratti said. "I have powder marks on my hand from grabbing the cylinder so it couldn't turn. My partner has an indentation on his thumb from the gun's hammer."

"The gun was going back and forth between us, between our arms, between our legs," the shaken officer told The Chronicle. "It was quite a struggle."

Ratti said he and Lang did not draw their own revolvers.


"We couldn't shoot the guy because the bar was crowded with people," he explained. "Somebody on the sidelines would have gotten hurt if we had."

Paramedics rushed Perez to San Francisco General Hospital after Galan's arrest. She was in "fairly stable condition" recovering from more than two hours of emergency surgery last night.

Reprinted from S.F. Chronicle  
December 10, 1983



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# POLICE ACTIVITIES LEAGUE

by Herbert P. Lee  
Director of Activities



## Women's sports

With Rosie Tejada

### PAL boxing director is a woman, fighter

Even as more women delve into sports that traditionally have been considered for men only, they continue to be an enigma. What should we expect from a woman boxer? What woman would forsake her femininity to disrupt the realm of a man's sport?

If you ask Angel Rodriguez, she may knock you out with blows of wisdom. Her appearance alone may be a surprise, as well. At 5-4 and 109 pounds, the world's number-one ranked flyweight is not exactly the female counterpart of "Marvelous" Marvin Hagler.

"I'm petite, as they say. Many times when the media wants to take pictures of me, I can tell they didn't know what to expect. They expect my face to be smashed up and me to be on the rough side, but they're taken back by me. I break the stereotypes."

"In terms of my femininity, boxing actually added to it. A good boxer is beautiful to watch. To me, it is an art form of very fluid movements. The hours you put in training outside the ring and inside the ring, put together, is the ultimate in femininity," Rodriguez said.

The 29-year-old native San Franciscan proudly acknowledges her Puerto Rican heritage and that she is "a product of the Mission (District)." Likewise, the confidence in her voice marks her sincerity when she says that boxing has been her sole focus since her decision to take on the sport six years ago.

Since then she has taken over the duties as director of the Police Activities League boxing program. With a staff of five experienced coaches, Rodriguez already has made some changes in the program, consisting of 30 active athletes ranging in ages from 10 to 18.

"We divide up the kids and give so many to a coach so that the individual attention will help them perform better. Before, kids would come and go. The attitude was that if they didn't come in to learn, we'd fight them so they'd learn in the ring. Now, because I see safety as our first concern, we demand commitments from the kids."

"We're not concerned with chaperoning them to keep them off the street. A lot of these kids come from gangs and think they're tough. Well, they learn in the ring more respect and humility because you can't depend on getting that lucky punch in. It's hard. They have to commit themselves. That's why champions are real special."

Angel has a "nine to five" job for an insurance company, then volunteers her nights to the PAL program and to a women's boxing class. Rodriguez is the

founder of the East-West Women's Boxing Association, and she said that promoting women's boxing has been a major focus of hers.

"Six years ago I read a magazine article on Cat Davis, a welterweight woman boxer in New York. I was so excited. I knew then that I wanted to be boxer and that I could be a champion. From that day forward boxing has been it for me."

But she admits there are many hardships in pursuing such an unorthodox vocation.

"There can be many problems, though. Even those who are really supportive really feel, deep down, that women shouldn't box. The nice part about it all is that the crowd loves you. Men go out there to kick butt, but women don't work that way. They hug each other after the bout, because they spur each other on. They weren't pushed in there. All of them have full eight-hour jobs and some have children. For me, I was lucky that I was single when I got into boxing: I gave it top priority."

Promoting women's boxing has not been easy for Rodriguez. The eight women in the club are inexperienced. But because female boxers are not recognized at the amateur level, Rodriguez said they are "forced to turn pro."

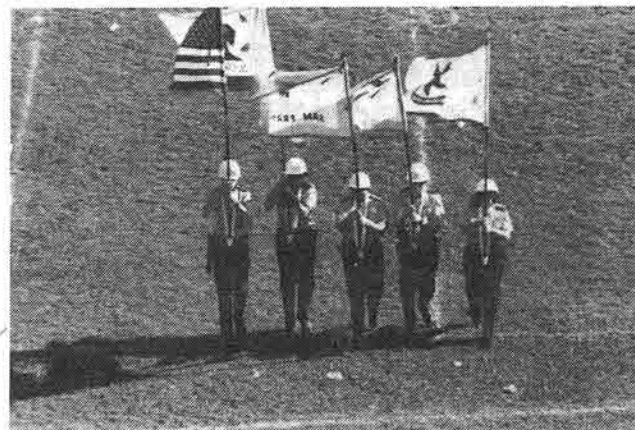
"The ABF (Amateur Boxing Federation) has in its by-laws that women are not allowed. I took a test for referees and finished second and they denied me. I attended a meeting and brought it up on the agenda and they said I was opening a can of worms."

"I approached the state athletic commission and the ABF would not recognize us. For us to box, we would have to do it exhibition-style on a pro card. There is nothing we can do until we have enough women to have our own officials because the boys won't sanction our card."

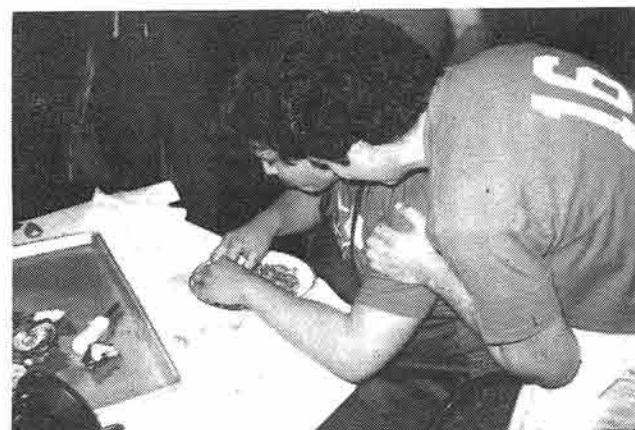
Since there are only 24 hours in a day, it is a wonder that Rodriguez accomplishes so much. They again, there can be some pitfalls.

"The thing that has suffered most is my personal training. I've just started doing roadwork at five in the morning. Then three nights I train along with the girls and then I also train with the boys, but by December I'll have to make a decision: will I fight again? There's a vacancy since the champion retired and I know I could make it. It's a matter of getting my heart back into it. We'll see."

Reprinted from S.F. Progress  
Wednesday, November 30, 1983



PAL Cadet Color Guard at the SGT Joe Lacey Memorial Bowl.



PAL Cadet Rolondo Garcia volunteered to be our representative in the 2nd annual Neptune's Palace great Raw Oyster Eating Contest recently. Garcia DNF. Great time had by all anyway.



Members of the crew of the great Raw Oyster Eating Contest aboard one of the PAL Vessels enroute to Pier 39 Neptune's Restaurant where the contest took place recently. PAL Cadet Rolondo Garcia was our representative and he DNF (Did Not Finish). It was a valiant effort, anyway, and everyone had a great time. The event is sponsored by Neptune's Palace and invites non profit organizations to compete for prizes which are to be used for their respective organizations. Our thanks to Neptune's for thinking of the PAL.

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# POLICE ACTIVITIES LEAGUE

by Herbert P. Lee  
Director of Activities



## PAL FOOTBALL

### PAL SEAHAWKS WINS CITY CHAMPIONSHIP.

In a beautiful crisp sunshine day between storms recently, the PAL Seahawks met the PAL Raiders for the City Championship at the Sgt. Joe Lacey Memorial Bowl held at City College Field, and emerged as city champions in a 32 to 6 game. After a series of downs in the first quarter, Seahawk's outstanding and Most Valuable Player quarterback Ron Bolden (#12) tossed an eight yard touchdown pass to his wingback Ferrell Love for a score. Bolden again threw for another score to Robert Allums. The pitchout for the point after was no good. In the second quarter, halfback Dwane Miller of the Seahawks took a handoff and raced 46 yards for a touchdown. The Raiders had to again kick on fourth down. The next series for the Seahawks culminated with a 19 yard touchdown run by Robert Allums around left end. Running back Mario Clemente scored the point after with a 3 yard run up the middle ending the first half. In the 3rd quarter, the PAL Raiders came to life with a 32 yard touchdown score from quarterback Mike O'Donoghue to Gabriel Jackson of what turned out to be the only point for the Raiders. In the fourth quarter, Robert Allums of the Seahawks punched in the final touchdown with a brilliant 29 yard run making the final score Seahawks 32 Raiders 6.

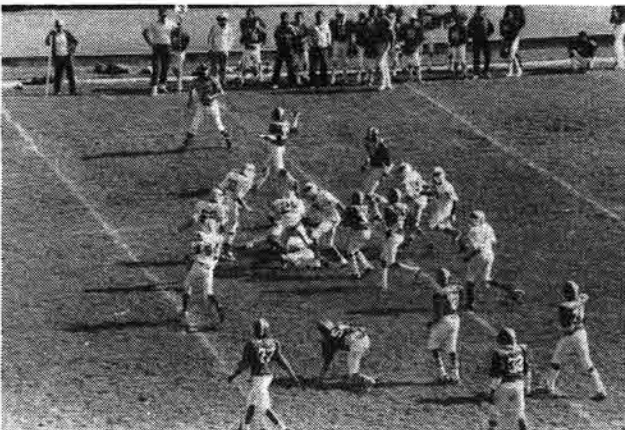
The judges were hard pressed to name the Most Valuable Offensive Player what with the excellent play of Love, Miller, Allums, etc. but finally decided on Quarterback Ron Bolden. The Most Valuable Player Defensively was no contest with Anthony Cartwright, the Seahawks' middle guard winning hands down. Cartwright was credited with several unassisted tackles and broke up more running plays than we could count. Congratulations to all the players, and to the PAL Seahawks and PAL Raiders coaching staff for their months of volunteer time to help the kids. This culminates 25 years that the Police Activities League has been sponsoring the Sgt. Joe Lacey Bowl. Sgt. Lacey served as an active coach with the Les Vogel Powergliders from the time of their creation in the Northern California Pop Werner League, the forerunner of the PAL Football Conference. This Bowl game was the brainchild of Bill Gilmore, then Pacific Coast Chairman of the National Pop Werner Foundation a memorial to Sgt. Lacey who was killed in the line of duty in San Francisco. This Bowl Game also honors ALL San Francisco Police Officers who gave their lives in the line of duty.



Touchdown indicated by the official as a PAL Seahawk scored unscathed.



PAL Raider halfback stopped after a good gain by the Seahawk secondary. (photos by Herb Lee)



PAL Football Action in the Joe Lacey Bowl.



PAL Seahawks Head Coach Rodney Garrick receiving the team trophy and congratulations from PAL Football Commissioner Inspector Kelly Waterfield (Recruitment). Garrick did a great job in bringing a championship to the Seahawks in this, his first full season as the Headcoach.

## PAL BOY AND GIRL OF THE YEAR WESTERN BARBECUE DINNER

Plans have been finalized for the Police Athletic Club located in Hunters Point Naval Shipyard to host the PAL Boy and Girl of the Year Awards Dinner. In all, 28 outstanding boys and girls will be presented awards for their endeavors in PAL sports and activities for 1983. This year's award dinner theme will be WESTERN. We will be featuring western barbecue steaks, beans, and music. All participants and guests are requested to come in western outfits, jeans, or casual clothes. Entertainment will be provided by 12 year old Amy Nelder and Officer Dan Hampton, Academy. There will be door prizes and prizes for best western attire. Head Chefs Joe Mollo and Mark Hurley stand ready to cook your ribeye steak EXACTLY as you like it. PAL Cadets will help serve and cleanup. All of the above for just \$6.00 per person. We have rolled back the prices to the 1950s. Dinner tickets are LIMITED. First come, first served. Call PAL Headquarters for your reservations. The date is Thursday, January 19, 1984. No-host cocktails 5 pm. Dinner served PROMPTLY at 7 PM.

## PAL LAW ENFORCEMENT CADET PROGRAM

The PAL Law Enforcement Cadet Program continues to meet each Tuesday night at 7 PM in the 6th floor Auditorium of the Hall of Justice through May, 1984. To date, there are 84 active members. Although the Program is closed to newcomers, any high school student in the 10th, 11th, and 12th grades interested are asked to call PAL Headquarters (567-3215) to place their names on a signup list, when vacancies occur. Activities in the past month include: Pier 39 Oyster Eating Contest, providing Cadets and color guard for the Sgt. Joe Lacey Memorial Football Bowl, Cadet Color Guards in the NORCALFED Championship Flight. Hosting the annual police fire memorial mass at St. Patrick's, attending Tuesday classes, and firearms safety class at the Presidio. There are a host of other activities during the coming weeks which include community services projects which will be reported on next issue.

## PAL JUNIOR RIFLE PROGRAM

PAL Junior Rifle Program Commissioner Sgt. Tom Morris (Ret.) reports the Program is in full swing. Anyone interested in joining are to call PAL Headquarters (567-3215) for signups. The class meets each Friday at 6 pm at the Ft. Scott Indoor Range located in the Presidio.

## PAL JUDO

PAL JUDO continues to be offered yearround for youths 7 through 18 at the PAL Armory Recreation Center, 14th and Mission Sts. For signups, call Officer Joe Mollo (552-7495). As the center is located in the Mission District, Mission District Residents are encouraged to participate.

## PAL BOXING

PAL Boxing Director Angel Rodriguez reports the PAL Boxing Program is being offered to youths 10 through 21. They will be taught the fundamentals of boxing by an experienced staff of 6 assistant coaches. The Boxing Program is open daily Monday through Fridays from 3:30 p.m. to 7 p.m. All boxing bags, mitts, equipment, etc. are offered at no cost. Several boxing shows are being planned for the coming year.

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# SPORTS



Standing, left to right: Wong, Totab, Bolander. Kneeling: Rupenstein, Wonder.

## ACADEMY'S IRON MEN

by Pat White,  
Academy

The 156th recruit class participated in the iron man contest and made a fine showing, despite the short amount of time they prepared for the event.

The recruits were only notified 10 days prior to the event because of a heavy schedule of classes, studying and other commitments. Despite the shortage of time, the team made an excellent showing.

Ed Rupenstein (class president) smoked the competition at the lake finishing in first place with a 29:11 time.

Steve Bolander came in second place in the shooting and he had a difficult time beating out Anthony Hartzler in our own shoot off to determine who would compete. These two officers will be giving some stiff competition in future matches.

Steve Wonder (previously of the S.F. Sheriff's Dept.) came in 3rd place with 131 situps and I believe he can win that competition if he wants to next year.

Bob Totab made a fine showing on the bench press, getting 46 repetitions with 100 lbs. Some of the old pros outdistanced him by a good measure, but there is no doubt that Bob is still growing and when he puts on some bulk, his name will be bantered about the pumping mills before long.

Jones Wong had a difficult task because of the machine (Aka Dalrymple) from Richmond Station.

Congratulations to all who entered and made a fine showing and especially to a bunch of shave tails who will be giving some vets a little more competition in the years ahead.

## Seniors Dominate Ironman Competition

by Jeff Barker

The S.F.P.O.A. sponsored pentathlon was held on Wednesday October 26, 1983. This semiannual event was once again dominated by the over 40 competitors who finished one, two, three. First time entrant, Bill White, set a total score record of 2700 points. He proved to be a very steady competitor, with very little drop off in any one event. Marty Walsh came from far behind to finish in 2nd place. Marty set ironman records of 135 sit ups and 800 points for the shoot. Last April's champion, Art Gerrans, slipped to third place. He set an ironman record with 70 bench presses. Fourth place finisher Tom O'Connell set a new standard for the Lake Merced run of 30:00 over the 5 mile course. Mike Shubin, Dan Hance, and Dan Lawson accounted for themselves very well.

The team competition featured the closest scores of the day. Four teams were within 125 points of each other. Going into the last event any one of the four teams had a chance at the overall championship. A team of inspectors consisting of Tom Dickson, Marty Walsh, Bob McAllister, Jim Griffin and Morgan Peterson, at an average age of 47, edged headquarters by 38 points. Vice Crimes and Richmond Station finished 3rd and 4th respectively but either could have won the competition. A team from Tactical was put together at the last second by coach Bob Puts. Their total of 3044 points was very good considering no one trained specifically for the events.

New records in the team competition were set in four of the five events. Dave Robinson of Vice Crimes set the bench press standard at 77. Kent Dalrymple of Richmond Station broke his own pull up record with 62. Duane Otis of the Inspectors moved the shooting mark up to 840 points. Ed Rupenstein, presently in the academy, ran the Lake Merced course in 29:11. The only record that stood up was John Whillett's 137 sit ups.

We are planning to hold the next Pentathlon in April 1984. Tom Dickson's inspectors team is already in vigorous training for next year's event. They claim there isn't a station team that they can't beat.

If you have any questions please contact the gym staff ext 1243.

## GOLF CLUB NEWS

Winter has arrived and from all appearances it looks like it will be as wet as the last couple. This also means I have to rely on the crystal ball to pick the tournament dates for the next few months.

I did a fairly good job in November. It rained the day before and the day after but on Friday, November 18, even though the ground was soaked, it was clear and sunny.

Forty-six members and guests played Bennett Valley Golf Course in Santa Rosa, and for the first time since May Tom Gordon was not the low gross winner. I'm pleased to report that I shot a seventy-seven to beat Tom by two strokes. Others in the seventies were Pete Alarcon who shot a seventh-eight and Bill Lee, a guest, who shot seventy-nine.

The low net winner was Earl O'Brien who shot eighty-five and with his twenty-one handicap had a net sixty-four.

The flight winners were: first, Pete Alarcon, Bill Mills and Vic Macia; second, Joe Engler, John McClelland and Joe Allegro Jr; third, Jack Daly, Mike Brady and Howie Whitman; fourth, Mike Curran, Mickey Sullivan and Ed Cassidy.

The guest flight was won by Jim Cook, one of Petaluma's finest, followed by Joe Engler Jr and Gale Karels.

The Hole-In-One winners were Joe Buckley at the sixth hole with a shot 9'11" away and Joe Engler Jr at eleven with a shot 6'9" from the hole.

The 1984 schedule is almost complete. Anyone interested in joining the club, it is open to all active and retired sworn members of the S.F.P.D. regardless of ability. We play at a different course each month and have two or three special events each year, such as a bar-be-cue tournament, an overnigher, and a weekend trip (including wives). The dues are \$10. per year. If interested send me a check made out to S.F. Police Golf Club and I'll send you all pertinent information.

Jerry Cassidy Co K Solo's  
Rm 150, Hall of Justice  
S.F., Ca 94103

or  
237 San Marin Dr  
Novato, Ca 94947

## SOCCER BENEFIT FOR SPECIAL OLYMPICS

by Marcel Bruton, Coach

The San Francisco Special Olympics recently added soccer to their many programs and in order to help get it off the ground our Police Soccer team took on the SF Fire Department at Balboa Stadium on November 5th, in a benefit exhibition match. The game which was organized by Phil Dito (Burlary) and Jerry Keohane of the Fire Dept. was played under sunny skies and was not only entertaining for the approximately 200 fans but raised over \$1,000 for Special Olympics.

The game was a contest between the overall balance of our Police Team and the lightning quick strikers of the Fire Dept. Pat Murphy (Co. E) put the PD on top early 2-0 with with a couple of first half goals, but a goal by Tom Harvey of the Fire Dept. made the half-time score 2-1. Eric Hipp (Co. F) opened the second half scoring with after beating the defense and scoring unassisted, but the Fire Dept. pulled back within a goal on a shot by Bill McGee. Steve Roche (Co. F) then scored the PD's 4th goal after a long pass from Tim Dempsey. But the Fire Dept. wouldn't say die and Tom Harvey put in a thirty yard shot for his second goal of

the day. Goalie Phil Dito and company then held off the Firemen the last fifteen minutes to preserve an exciting 4-3 victory.

The Special Olympics is very close to my heart as they have done so much for my son Mike, so I would like to personally thank the men of both teams and everyone else who supported this worthwhile effort.

Marcel Bruton  
Coach



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# SPORTS

## IT'S PLAY OFF TIME IN THE SFPOA BASKETBALL LEAGUE

by Bob Puts

It's playoff time in the 9th annual SFPOA Basketball League with 12 teams shooting for the crown. The playoffs open with a short but scrappy Southern Station team going against a muscular Park Station team. Tom Powers will have to be hot from the perimeter, as Park station gives away little room inside with the likes of Currie, Dutto, and Bob Barnes.

In the playoff game matching the Tactical Division against Bob Huegle's Inspectors, Jimmy the Greek gives the edge to the talented Tactical men. Coach Dovan feels that his earlier defeat of the Inspectors Bureau 24-23, and the defensive geniuses, Mike Lawson and Bob Deltorre, will be enough to shut down the Inspectors instant offense of Don Carlson. Jimmy the Greek also picks Vice in a close game over Northern Station. Northern, who has had problems getting their entire team together, will have their hands full containing Ed Chow and Don Clyburn.

In the second round of the playoffs, the division winners enter the picture. In this round the FBI, which went undefeated, is the favored team to repeat as Champions. If central station is to make a serious bid, they must get back Coach Bill Petrie, and fire their present coach.

The final two teams could be considered dark horse teams. Ingleside, which is led by the seasoned All-Star Charley Mahoney, has finally found some height (Ed Anzore), to compliment its fine players. (In fact Charley had to go into the Mission to find this height). Another team that will be eyeballing that Championship date will be the Headquarters team (PBTF). This team reads like an All-Star team, with players who all played on different teams last year. Coach Andy O'Mahoney (known as second-half Andy) has molded together a team of Barker (Gym), T. Deltorre (Crime Prev), Bruneman (Formerly E), Cousin Hanley (formerly F), and T. Dempsey (formerly A) into a contender.

The Championship Game will be held on Jan. 19th 10:30 at Kezar Pavilion. Admission is free and children are welcome. A luncheon will follow at the Basque Hotel (15 Romolo), and I promise that Jim Deignan will not change the luncheon location this year.

### THE SFPOA 1983-84 BASKETBALL LEAGUE RESULTS 10 WEEKS NATIONAL CONFERENCE

WEST  
FBI  
Southern  
Park  
Mission

EAST  
Ingleside  
Airport  
Potrero  
Park II

11 0  
5 5  
5 6  
3 8  
8 2  
8 3  
2 9  
0 10

Calgaro (A)  
Jimerson (FBI)  
Hipp (F@2)  
Bruneman (HQ)  
Anzore (H)  
Powers (B)  
E Rodriguez (A)  
Spencer (AIR)  
Spitari (H)  
Hanley (HQ)

PTS  
207  
187  
172  
171  
168  
164  
164  
159  
151  
147

### AMERICAN CONFERENCE

WEST  
Headquarters  
Vice Crimes  
Northern I  
CHP

EAST  
Central  
Tactical  
Inspectors  
Northern II

9 2  
8 2  
5 5  
4 6  
9 1  
4 7  
3 7  
0 11

Carlson (ins)  
Jamison (C)  
Morgan (D)  
Suhl (CHP)  
Colonico (E1)  
Ambrose (VICE)  
Puts (TAC)  
Lewis (FBI)  
Donovan (Tac)  
Dutto (f1)

144  
143  
133  
136  
135  
128  
126  
125  
121  
120

## 1983 S.F.P.D. Pentathlon Results

### Team Competition

1. Inspectors				3,448 Points
Dickson	Bench	68		680 Points
Walsh	Sit Ups	135		675 Points
McAllister	Pull Ups	39		780 Points
Griffin	Shoot			595 Points
Peterson	5 mi. Run	31:42		718 Points
2. Headquarters				3,410 Points
Crowley	Bench	75		750 Points
Lawson, D.	Sit Ups	100		500 Points
White	Pull Ups	25		500 Points
Otis	Shoot			840 Points
O'Connell	5 mi. Run	30:00		820 Points
3. Vice Crimes				3,342 Points
Robinson	Bench	77		770 Points
Carnes	Sit Ups	119		595 Points
Hance	Pull Ups	24		480 Points
Camilleri	Shoot			800 Points
Gerrans	5 mi. Run	32:03		697 Points
4. Richmond Station				3,325 Points
Johnson	Bench	55		550 Points
Dalrymple	Sit Ups	62		1000 Points
Campbell	Pull Ups	102		510 Points
Simms	Shoot			470 Points
Donahue	5 mi. Run	30:25		795 Points
5. Tactical				3,044 Points
Beijen	Bench	62		620 Points
DelTorre	Sit Ups	132		660 Points
Lawson, M.	Pull Ups	29		580 Points
Guerrero	Shoot			420 Points
Smith	5 mi. Run	30:56		764 Points
6. Academy				2,979 Points
Total	Bench	46		460 Points
Wonder	Sit Ups	131		655 Points
Wong	Pull Ups	15		300 Points
Bolander	Shoot			695 Points
Ruppenstein	5 mi. Run	29:11		869 Points
7. Mission Station				2,271 Points
Neufeld	Bench	55		550 Points
Flanders	Sit Ups	95		475 Points
O'Connell	Pull Ups	21		420 Points
Montero	Shoot			375 Points
Mambretti	5 mi. Run	36:09		451 Points

Iron Man	Bench	Sit Ups	Pull Ups	Shoot	Run
1. Bill White	51	132	25	430	33:40
2. Marty Walsh	33	135	12	800	35:37
3. Art Gerrans	70	101	13	340	32:03
4. Tom O'Connell	39	113	16	230	30:00
5. Mike Shubin	58	61	20	580	37:30
6. Dan Hance	52	98	24	260	36:24
7. Dan Lawson	37	100	10	725	40:59

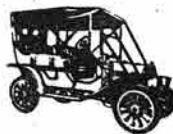
### Total Points

1. Bill White	2700
2. Marty Walsh	2528
3. Art Gerrans	2502
4. Tom O'Connell	2325
5. Mike Shubin	2235
6. Dan Hance	2186
7. Dan Lawson	1956

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# SPORTS

## Emperor New Owner

### S.F. CENTURIONS PREPARE FOR 5th SEASON

by Don Carlson

It doesn't seem possible, but it's already been four years since the San Francisco Centurions were created and played Oakland PD on March 29, 1980. Now the team is preparing for its fifth season, a season that will feature three games against other law enforcement teams, as well as a noted Bay Area radio personality becoming the team's new "owner."

The Centurions bring a cumulative record of six wins and five losses — forged against a variety of opponents — into the 1984 season. This year's schedule begins on St. Patrick's Day in San Jose against a police team that has a one-and-one record against the Centurions. Last year's game ended in a 33-8 San Francisco victory that avenged the Choirboys' 17-13 win in 1982.

On April 7, San Francisco will travel to Modesto for a meeting with a new opponent: a team representing Stanislaus County law enforcement agencies. The word from organizers in Modesto is that the entire town is supporting this game, so the Centurions will face an unknown, yet enthusiastic group that is looking forward to knocking off "a buncha city boys." Won't they be surprised when they see Deely!

San Francisco's third game, the Centurion Charity Bowl, will be held on April 21 at a new site — San Fran-

cisco State University — to benefit an old friend: San Francisco Special Olympics. Though the opponent is yet to be named — Oakland PD would not agree to financial conditions required by the affiliation with Special Olympics — game organizers, particularly Centurion Board members Bob DelTorre, Mike Lawson, George Koniaris and Rene LaPrevotte, have been hard at work for some months, and promise an entertainment event of the highest quality.

Finally, an "Honorary Owner" has been found: Emperor Gene Nelson of Radio Station KSFO. The Emperor warmed quickly to the task of improving the Centurions' field performance: first, he cut ME from the squad — proving immediately that he knows football talent! Secondly, the team is now negotiating with Billy Sims. "We're the only team he HASN'T signed with yet!" declared the Emperor.

With returning veterans like Dave Robinson, Ed Cota, Joe Garrity, Steve Balma and Eric Hipp (no, he hasn't left for the SFFD yet; they'll NEVER find his application if I can help it!), the Centurions should continue to provide excellent value and excitement for your entertainment dollar in 1984, while providing a vehicle to enable San Francisco Special Olympics to raise a bit more money for its outstanding program.

## Centurion Charity Bowl

by Officer Bob Del Torre (Tactical) Chairman

Date: April 21, 1984  
Location: S.F. State University  
Proceeds: S.F. Special Olympics  
Raffle Tickets: \$2 (This Donation includes admission to the game)

The 1984 Centurion Charity Bowl is in its 5th year of existence and its enthusiasm is still growing. Proceeds from the tackle football game will go to the San Francisco Special Olympics.

Preparation for this benefit have begun 3 months ago in hopes of attaining a goal of \$5,000 for the Special Olympics. The goal of Special Olympics is to contribute to the physical, social and psychological development of mentally handicapped individuals in our community.

Anyone interested in selling tickets or distributing some posters — please contact one of the individuals listed below within the next two weeks.

Let's help those Special Olympians attain their goal — through our help. Remember, we are San Francisco's Finest.

Contact Sgr. George Koniaras, Park Station (Mid-nights) Ext. 1061; Sgt. Rene LaProvette, Narcotics (Days) Ext. 1123; Officer Dave Robinson, Narcotics (Days) Ext. 1123.

\*\*\*There will be more information on the game in next month's issue.

### Placer County Deputy Sheriffs' Association presents the 1984 CALIFORNIA POLICE WINTER OLYMPICS

Sunday, March 11	12n-6 p.m.	Registration (Video Room)
Monday, March 12	10 a.m. - 1p.m. 5 p.m.	Giant Slalom Race Awards/Refreshments
Tuesday, March 13	10 a.m.-1 p.m. 5 p.m.	Slalom Race Awards/Refreshments
Wednesday, March 14	10 a.m.-1 p.m. 5 p.m.	Modified GS Race Awards/Refreshments
Thursday, March 15	10 a.m.-1 p.m. 1:30 p.m. 5 p.m.	Dual Slalom Cross-Country Race (5km) Awards/Refreshments
Friday, March 16	Al Day	Skiing

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Competitor: \_\_\_\_\_ Age: \_\_\_\_\_ Birthdate: \_\_\_\_\_  
Address: \_\_\_\_\_ City: \_\_\_\_\_ Zip: \_\_\_\_\_  
Department: \_\_\_\_\_ Date Employed: \_\_\_\_\_ ID #: \_\_\_\_\_  
I wish to compete in:    ☐ Alpine Only .....\$35 \$ \_\_\_\_\_  
                                  ☐ Alpine & Cross County .....\$40 \_\_\_\_\_  
                                  ☐ Cross Country Only .....\$15 \_\_\_\_\_  
Non-racer registration for police officer, spouse, guest \$10 ea. \_\_\_\_\_  
Make checks payable to CALIFORNIA POLICE WINTER OLYMPICS and mail with this form to:  
141 Pleasant Avenue, Auburn CA 95603

TOTAL \$ \_\_\_\_\_

#### \*\*\*WAIVER\*\*\*

In consideration of my signing this agreement, I hereby, for myself, my heirs and administrators, assume any and all risks which might be associated with the 1984 California Police Winter Olympics to be held at Squaw Valley Ski Area, March 11, through March 16, 1984. I waive any and all rights and claims for damages which I may have against the organizers and any others connected with this event, their representatives, successors and assignees for any and all injuries or damages of any kind whatsoever suffered by me as a result of my participation in this program or any related activities.

Signature \_\_\_\_\_

Date \_\_\_\_\_

Home Phone: \_\_\_\_\_

For more information, details, etc., write: Placer County Sheriff's Office, ATTN: Sgt. Paul Kovacich, P.O. Box 351, Auburn, California 95603, or call:  
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## THE LAST WORD

by Pete Maloney  
Editor



On Jan. 1, 1984, certain portions of hazardous Material Ordinances will be pre-empted by State Law unless local governments already have legislation in place. Once the deadline has been met local governments are at complete liberty to amend and work with their own ordinances.

In order to see that San Francisco controls its own fate in its specific best interests, Supervisors Nancy Walker and Harry Britt have been working for two years to write and pass legislation of the appropriate scope and direction. In the past three weeks it became a matter of concern that the Police Department was affected and had not been consulted. Since this law would include public disclosure and we have certain affected materials (explosives for EOD, etc.) we needed to be exempted. Supervisor Walker immediately made an 'author's amendment' that did not have to go through committee hearings and inserted it into the legislation.

Members of our EOD Unit were charged with determining any other problems. If any, the ordinance presented. That work was not received in a timely fashion and the ordinance went to first reading without further amendment.

The two remaining concerns are that the 'public disclosure' aspect would provide potentially dangerous information to subversive or terrorist groups regarding locations of storage and manufacture sites of explosives.

The second regards Police Department input on and notification of procedures and events.

Both points have been carefully and forthrightly addressed by Supervisor Walker and agreement reached with Chief Murphy.

The question then becomes whether support by the POA's Legislative Committee for the ordinance before full Board of Directors' approval or the flurry of ardent denials of that position causes discredit of our association, confuses our friends and comforts our adversaries.

\*\*\*

Last month this column described the new payroll system as equaling one less pay check. Mr. Farrell, Comptroller of the City, has reached a compromise with the employees involved in phase one of the conversion. This so-called compromise means that the conversion, already underway, will be halted until Jan. 30, 1984 when it will restart and deduct one day of pay every other pay period through May 29, 1984, when payroll will pay back three of ten days deducted.

The interesting thing is that with the current manual system, it takes six calendar (four working) days to produce the checks. Under the new system it will take eleven calendar (seven working) days to do the same thing.

Even more interesting is the fact that the City Attorney's Office has yet to respond to the question of whether or not employees whose day is withheld in this manner are entitled to interest on the money. It would seem just when the City's action is unilateral.

This is not to say that the goals of the conversion are without merit. There are fine specific advantages: (1) Records will be more accurately kept and available. (2) Over time will be paid at the end of the same pay period worked unless it falls within the lag time. (3) Non-negotiable check stubs will give the amount of extra duty. Sick and vacation time credited to date. (4) All City employees will be paid on the same day, and (5) Direct deposit to bank accounts will be easier.

Next month I hope to have information on how the Comptroller can achieve his ends without helping the City to make interest on our money.

S.F. PROGRESS  
December 25, 1983

## Jack Rosenbaum

Santa in a trench coat: That curly-haired man who stopped in at the Alexander Hotel for senior citizens and dropped off a sack of paperback books and three boxes of candy was Police Inspector Daye Toschi. It's an old custom for Toschi to visit a different Tenderloin hotel every Thanksgiving and Christmas...

## ON THE STREET/Tom Flippin



## DEDUCTIONS

continued from page 1

records of these expenditures and expenses in order to verify them should your return be audited by the Internal Revenue Service.

### PLANNING

If you have not thought about these deductible items, perhaps you should save this article and make notations during the year of any ordinary law enforcement expenditures that you make in order that you may deduct them when filling out your 1983 return and also in preparing for your 1984 and subsequent tax years.

## RETIREMENT SYSTEM

continued from page 1

in the six (6) accounts offered by Hartford; the most popular accounts being fixed interest, stock and bond.

### MEMBERSHIP

At the close of the fiscal year there were 21,350 active members in the Retirement System.

During 1982-83 police officers contributed \$4,001,814 into the System; for the same officers the City contributed \$51,261,878. For this period the City's contribution represented 92.50% of payroll.

Thirty-four (34) police officers retired during the fiscal year. This number, down dramatically from prior years, reflects the ever increasing youthful faith of the Police Department. The most popular retirement age bracket was 50-55. The average monthly allowance was \$1,445; this is an increase of nearly \$200 for the average allowance as of June 30 1981.

There are presently 1,201 retired police officers receiving monthly allowances and 519 police widows/dependents receiving these allowances.

### CONCLUSION

Thanks to fine management and prudent investment policies, our Retirement System remains fiscally sound and quite healthy thereby able to keep "its promise" to both active and retired members that monthly retirement payments will always be made.

Congratulations to the Retirement Board members and the staff at the Retirement System for their excellent work.

## TESTIMONIAL

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No Host Cocktails

6<sup>30</sup> pm

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November 16, 1984  
December 21, 1984

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